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South Carolina Collection...



ACTS
AND
JOINT RESOLUTIONS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF SOUTH CAROLINA,
PASSED AT THE
REGULAR SESSION OF 1890.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED TO FORM A PART
OF THE TWENTIETH VOLUME OF THE STATUTES AT LARGE,
COMMENCING WITH THE ACTS OF THE
REGULAR SESSION OF 1888.

COLUMBIA, S. C.
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1891.

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ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

Passed at the Regular Session which was begun and held at the City of Columbia on the Twenty-Fifth Day of November, A. D. 1890, and was adjourned without day on the Twenty-Fourth Day of December, A. D. 1890.

BENJAMIN R. TILLMAN, Governor. EUGENE B. GARY, Lieutenant Governor and *ex officio* President of the Senate. JOHN L. M. IRBY and IRA B. JONES, Speakers (¹) of the House of Representatives. SAMPSON POPE, Clerk of the Senate. J. WALTER GRAY, Clerk of the House of Representatives.

PART I.

General Laws and Joint Resolutions.

(1.) Hon. JOHN L. M. IRBY having been elected United States Senator, he resigned his office of Speaker on the 22d day of December, and Hon. IRA B. JONES was elected his successor.

A. D. 1890.

AN ACT TO RATIFY THE AMENDMENT TO ARTICLE 4 OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE JUDICIAL DEPARTMENT, REPEALING SECTION NINETEEN (19), WHICH PROVIDES A BOARD OF COUNTY COMMISSIONERS.

No. 433.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890.
 Repeal of Section 19 of Article IV of Constitution.
 Ante 298.

in General Assembly, and by the authority of the same, That the amendment to Article four (4) of the Constitution of the State of South Carolina, which was submitted by Joint Resolution of the last past General Assembly, approved December 23d, A. D., 1889, to the qualified electors of the State, at the general election next thereafter, to repeal Section nineteen (19) of Article 4 of the Constitution of South Carolina, relating to the Judicial Department, which provides for a Board of County Commissioners, and upon which a majority of the electors qualified to vote for members of the General Assembly of this State, voting thereon at the last past general election, voted in favor of the said amendment, be, and the same is hereby, ratified.

Approved December 20th, A. D. 1890.

No. 434. A JOINT RESOLUTION EXTENDING THE TIME FOR THE COLLECTION OF STATE, COUNTY, RAILROAD AND OTHER TAXES DUE FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1889, UNTIL THE FIRST DAY OF FEBRUARY, 1891.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the time limited for the payment of taxes to the 15th day of December, 1890, as provided in an Act entitled "An Act to raise supplies and make appropriations for the fiscal year commencing November 1st, 1889," be, and the same is hereby, extended to the 1st of February, 1891; and that the Comptroller General of this State is hereby authorized and required to notify the County Treasurers and County Auditors of the several Counties of this State of such extension.

SEC. 2. That this Joint Resolution shall take effect immediately on its approval.

Approved December 20th, A. D. 1890.

**A JOINT RESOLUTION TO PROVIDE FOR THE PURCHASE OF
COMPLETE COPIES OF THE GENERAL STATUTES OF OTHER
STATES IN THE UNION.**

A. D. 1890.

No. 435.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Librarian of the Legislative Library be empowered, and is hereby instructed, to expend so much of the annual appropriation provided for by Section 77 of the General Statutes of this State as may be necessary to obtain one complete copy of the latest edition of the General Statutes of each State in the Union.

Librarian to purchase.

SEC. 2. That the Librarian make an itemized report to the next session of the General Assembly of amounts expended for this purpose, the same to be printed in the report of Comptroller General.

And make report.

Approved December 20th, A. D. 1890.

**AN ACT TO AMEND SECTION 2 OF AN ACT ENTITLED "AN
ACT TO REGULATE THE FEES OF PHYSICIANS AND SURGEONS
FOR TESTIFYING AS EXPERTS IN CRIMINAL CASES," AP-
PROVED DECEMBER 26TH, 1885.**

No. 436.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two of an Act entitled "An Act to regulate the fees of physicians and surgeons for testifying as experts in criminal cases," approved December 26th, 1885, be, and the same is hereby, amended by striking out the word "ten," on line seven, and inserting in lieu thereof the word "five;" so that said Section, when amended, shall read as follows:

A. A. 1885, § 2,
19 Stat., 329,
amended.Fee reduced
to \$5.

SECTION 2. That physicians and surgeons bound over or summoned by the State to testify as experts in any case in the Court of General Sessions, or actually bound over at the instance of the defendant to testify as experts in any case of felony in the Court of General Sessions, shall receive as compensation therefor, to be paid by the County in which the case is tried, the

Section as
amended.

A. D. 1890.

sum of five dollars, in addition to the fees provided by law to be paid to other witnesses in such cases: *Provided*, That the Circuit Judge before whom the case is tried shall certify that the testimony of such expert is material.

Approved December 20th, A. D. 1890.

No. 437. AN ACT TO AMEND SECTION 9 OF AN ACT ENTITLED "AN ACT IN RELATION TO FORFEITED LANDS, DELINQUENT LANDS AND COLLECTION OF TAXES," APPROVED DECEMBER 24, 1887.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 9 of an Act entitled "An Act in relation to forfeited lands, delinquent lands and collection of taxes," approved December 24, 1887, be, and the same is hereby, amended so as to read as follows:

A. A. 1887, § 9,
19 Stat., 802,
amended.

See ante 53.

Section as
amended.

Duties of
Sheriffs.

Powers of
Comptroller
General.

Return of ex-
ecutions by
Sheriff.

Funds to be
paid over.

Penalties.

SECTION 9. The Sheriffs of the several Counties in this State in making levies and sales, in making returns and in paying over money collected under tax warrants or executions placed in their hands by County Treasurers, shall be subject to the direction and under the control of the Comptroller General of the State in like manner as they now are to plaintiffs in execution; and the Comptroller General is hereby invested with all the rights and privileges of a plaintiff in execution to invoke and obtain the aid of the Court to compel refractory Sheriffs to discharge their duties in the enforcement of tax executions; and it is hereby made the duty of the said Sheriffs, respectively, to make return of all tax executions to the Treasurers of their respective Counties within ninety days after the date of issue thereof, designating such as may be *nulla bona* and such as may have been collected by distress and sale or otherwise, and within the same time to pay over to the said Treasurers all taxes and penalties collected by them; and in case of default, then the several County Treasurers shall have the right to recover from any such defaulting Sheriff treble the amount of such taxes and

penalties in an action or actions, which the Treasurers are hereby authorized to bring, in any Court of competent jurisdiction.

A. D. 1890.

Approved December 23d, A. D. 1890.

AN ACT TO PROVIDE FOR A LICENSE FOR THE SALE OF PISTOLS No. 438.
OR PISTOL CARTRIDGES WITHIN THE LIMITS OF THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter no person or corporation within the limits of this State shall sell or offer for sale any pistol or pistol cartridge without first obtaining a license from the County in which such person or corporation is doing business so to do.

License to be obtained.

SEC. 2. That the County Commissioners of the several Counties of the State be, and they are hereby, authorized to issue licenses in their respective Counties for the sale of pistols and pistol cartridges upon the payment to County Treasurer by the person or corporation so applying for said license of the sum of two hundred dollars, annually.

County Commissioners to issue licenses.

License fee.

SEC. 3. That any person that shall sell or offer for sale any pistol or pistol cartridge without having obtained the license provided for in this Act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding five hundred dollars or be imprisoned not exceeding one year, or both, at the discretion of the Court.

Penalties.

SEC. 4. That this Act shall not take effect until the expiration of six months after its approval.

When to take effect.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND SECTION 5 OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE FORMATION OF CERTAIN CORPORATIONS UNDER GENERAL LAWS." No. 439.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1890.

A. A. 1886, § 5,
19 Stat., 542,
amended.
See ante 46.

As to monthly
installment
companies.

Section 5 of an Act entitled "An Act to provide for the formation of certain corporations under general laws" be, and the same is hereby, amended by adding at the foot of said Section the following words: *Provided*, That in cases of Building and Loan Associations and other like corporations, when by the terms of the declaration the capital stock is to be paid in in installments, the certificate herein provided for may be issued when 50 per cent. of the first installment of such capital stock shall have been paid in and the provisions of this Act in other respects complied with, and the certificate so issued may make such provision for the winding up of such corporation as is embodied in such written declaration. So that said Section, when so amended, shall read as follows:

Section as
amended.
When corpora-
tions may or-
ganize.

SECTION 5. Upon the completion of the organization of the company, and the payment to the Treasurer of the company, or some officer designated for that purpose, in cash, of at least twenty per cent. of the capital subscribed, payable in money, and the payment of the remainder of the capital stock so subscribed for payable in money being secured, to be paid in such installments and at such times as may be provided in the written declaration required by Section 1, and also the delivery to such officer or officers at least twenty per cent. of the property so subscribed to the capital stock, with security for the delivery of the remainder of said property so subscribed to the capital as may be promised in said declaration required by Section 1, the Board of Corporators shall, in writing, over their signatures, certify the same to the Secretary of State, who shall issue to the company a certificate that they have been fully organized according to the laws of South Carolina, under the name and for the purpose indicated in their written declaration, and that they are fully authorized to commence business under their charter, a copy of which certificate shall be recorded in the office of the Register of Mesne Conveyance for each County

Certificate to
and by Secre-
tary of State.

Certificate to
be recorded.

Proviso as to
monthly install-
ment com-
panies.

where such company shall have a business office: *Provided*, That in cases of Building and Loan Associations and other like corporations, when by the terms of the declaration the capital stock is to be paid in in installments, the certificate herein provided for may be issued when 50 per cent. of the first installment of such capital stock shall have been paid in and the provisions of this Act in other respects complied with, and the certificate so issued may make such provisions for the winding up of such corporation as is embodied in such written declaration.

That in all charters heretofore or hereafter granted under this Act, no irregularity in complying with the provisions of this Act shall be held to vitiate said incorporation until a direct proceeding to set aside and annul said corporation is instituted by the proper authorities of the State, and all acts done, and contracts entered into, shall have the same force and effect as if said irregularity had not existed.

A. D. 1890.

Irregularities
not to vitiate.Except under
proceedings by
the State.Acts and con-
tracts.

Approved December 23d, A. D. 1890.

AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE PER DIEM, MILEAGE AND STATIONERY CERTIFICATES OF THE MEMBERS OF THE GENERAL ASSEMBLY, THE SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES THEREOF, AND FOR OTHER PURPOSES HEREIN NAMED. No. 440.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the General Assembly at its regular session beginning on the twenty-fifth day of November, 1890, to the close of the session, and for other purposes herein named, as is more specifically indicated in the several succeeding Sections of this Act, that is to say :

General ap-
propriation
clause.

SENATE.

SEC. 2. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the Senate from the twenty-fifth day of November, 1890, inclusive, to the close of the session, as follows :

Senate ex-
penses.

For the per diem, mileage and stationery certificates of the members of the Senate and the presiding officer thereof, if so much be necessary, six thousand six hundred and seventy-four dollars ; for the pay of Sampson Pope, Clerk of the Senate, one thousand dollars ; for the pay of Robert M. McCowan, Assistant Clerk of the Senate, two hundred and fifty dollars ; for the pay of J. Y. Jones, Journal Clerk of the Senate, one hundred and fifty dollars, and four dollars per day for the number of days he

President and
members.Clerk and As-
sistants.

Journal Clerk.

- A. D. 1890.** may be actually engaged in the work of the Senate after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by the said Journal Clerk ; for the pay of F. C. Caughman, Reading Clerk of the Senate, two hundred and fifty dollars ; for the pay of J. C. Elliott, Sergeant-at-Arms of the Senate, two hundred and fifty dollars ; for the pay of W. J. Moore, Bill Clerk of the Senate, one hundred and fifty dollars ; for the pay of E. C. Johnson, Clerk of the Judiciary Committee of the Senate, one hundred and fifty dollars ; for the pay of W. N. Hamilton, Clerk of the Finance Committee of the Senate, one hundred and fifty dollars ; for the pay of W. R. Bullock, General Committee Clerk of the Senate, one hundred and fifty dollars ; for the pay of Thomas Whittle, W. J. Arrant and E. P. Jenkins, Doorkeepers of the Senate, each ninety dollars ; for the pay of Cæsar Chisolm, T. D. Dawkins and Mingo White, Laborers of the Senate, each sixty dollars ; for the pay of Calhoun Butler, Porter in the office of the Clerk of the Senate, ninety dollars ; for the pay of W. W. Lazenberg, Porter of the Committee Rooms of the Senate, sixty dollars ; for the pay of W. C. Irby and Wm. L. Hemphill, Pages of the Senate, each sixty dollars ; for the pay of N. O. Pyles, Mail Carrier of the Senate, ninety dollars, and fifteen dollars for services rendered as Mail Carrier of the Engrossing Department.
- Contingent fund.** For the incidental or contingent fund of the Senate, seven hundred dollars, if so much be necessary, to be paid on certificates drawn by the President of the Senate and attested by the Clerk of the Senate, on accounts audited by the Committee on
- Proviso.** Contingent Accounts and passed by the Senate : *Provided*, That no part of said contingent fund be used in giving extra pay to any of the employees of the Senate.
- Inauguration ceremonies.** For the payment of the Senate's proportion of the expenses incident to the ceremonies of the inauguration of the Governor and Lieutenant Governor, one hundred and sixty 52-100 dollars, to be paid out of the contingent fund of the Senate.

HOUSE OF REPRESENTATIVES.

- House ex-** **SEC. 3.** That the following sums, if so much be necessary, be, **penses.** and the same are hereby, appropriated to pay the expenses of the House of Representatives from the twenty-fifth day of November, 1890, inclusive, to the close of the session, as follows :

For the per diem, mileage and stationery certificates of the members of the House of Representatives, twenty-one thousand and eight hundred dollars; for the pay of J. Walter Gray, Clerk of the House of Representatives, one thousand dollars; for the pay of W. M. Rodgers, Assistant Clerk of the House of Representatives, two hundred and fifty dollars; for the pay of J. Wilson Gibbes, Journal Clerk of the House of Representatives, one hundred and fifty dollars, and four dollars per day for the number of days he may be actually engaged in the work of the House of Representatives after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by said Journal Clerk; for the pay of J. C. Wilborn, Reading Clerk of the House of Representatives, two hundred and fifty dollars; for the pay of N. H. Stansell, Sergeant-at-Arms of the House of Representatives, two hundred and fifty dollars; for the pay of T. C. Hamer, Bill Clerk of the House of Representatives, one hundred and fifty dollars; for the pay of H. M. Davidson, Clerk of the Committee of Ways and Means of the House of Representatives, one hundred and fifty dollars; for the extra pay of H. M. Davidson, Clerk of the Committee of Ways and Means of the House of Representatives, for work done after the adjournment of the General Assembly of 1889, forty dollars; for the pay of W. H. McFeat, Clerk of the Judiciary Committee of the House of Representatives, one hundred and fifty dollars, and twenty-five dollars as Clerk of Committee on Incorporations; for the pay of C. H. Nixon, Clerk of the Committee on Claims and Enrolled Acts of the House of Representatives, one hundred and seventy-five dollars; for the pay of Richard Owens, Walter Nixon and Peter Sanders, Doorkeepers of the House of Representatives, each ninety dollars; for the pay of Jesse M. Goodwin, William H. Gaston, Robert P. Fair and Meltiah B. Green, Pages of the House of Representatives, each sixty dollars; for the pay of Neal Watts, Robert Caldwell, Counts Cross and Casper Watts, Laborers of the House of Representatives, each sixty dollars; for the pay of James Adamson and Albert Nance, Porters of the Committee Rooms of the House of Representatives, each sixty dollars; for the pay of Henry M. Stone, Keeper of the Speaker's Room and Porter to the Clerk of the House of Representatives, ninety dollars, and ten dollars extra to James Addison for extra services to Committee on Agriculture; for the pay of A. C. Anderson, Mail Carrier of the House of Representatives, ninety dollars; for the

A. D. 1890.

Members.

Clerks and Assistants.

Journal Clerk.

Reading Clerk.

Sergeant-at-Arms.

Bill Clerk.

Committee Clerks.

Doorkeepers.

Pages.

Laborers and other employees

A. D. 1890.
 Chaplain.
 Contingent
 fund.

pay of O. A. Darby, Chaplain of the House of Representatives, fifty dollars.

For the incidental or contingent fund of the House of Representatives, one thousand dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives: *Provided*, That no part of said contingent fund be used to give extra pay to any of the employees of the House of Representatives.

Inauguration
 ceremonies.

For the payment of the House of Representatives' proportion of the expenses incident to the ceremonies of the inauguration of the Governor and Lieutenant Governor, one hundred and sixty 52-100 dollars, to be paid out of the contingent fund of the House of Representatives.

ENGROSSING DEPARTMENT.

Expenses of
 Engrossing De-
 partment.

SEC. 4. That the sum of three thousand seven hundred and ninety-six 13-100 dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the expenses of the Engrossing Department of the General Assembly from the twenty-fifth day of November, 1890, inclusive, to the close of the session, as follows:

Solicitors.

For the pay of M. F. Ansel, W. Perry Murphy, J. E. McDonald, J. M. Johnson, John S. Wilson, O. L. Schumpert, W. St. J. Jervey and P. H. Nelson, each five dollars per day, Solicitors in the Engrossing Department, office of the Attorney General; for the pay of F. F. Covington, J. W. Smart, A. C. Jones, R. W. Memminger, Jr., T. S. Bonham, B. H. Harvin, John Boyd,

Clerks.

J. G. Capers and C. W. Garriss, Clerks in the Engrossing Department, office of the Attorney General, from the 25th day of November, 1890, inclusive, to the close of the session, each five dollars per day; for the pay of W. H. Meetze, Clerk in the Engrossing Department, office of the Attorney General, from the 6th day of December, 1890, inclusive, to the close of the session, five dollars per day; for the pay of M. G. Montgomery, H. A. Tradewell, Geo. S. Legare and H. B. Crosland, Clerks in the Engrossing Department, office of the Attorney General, from the 8th day of December, 1890, inclusive, to the close of the session, each five dollars per day; for the pay of T. B. Butler, Clerk in the Engrossing Department, office of the Attorney

General, from the 25th day of November, 1890, inclusive, to the 8th day of December, 1890, inclusive, five dollars per day.

A. D. 1890.

To pay the mileage of the Circuit Solicitors, as follows: M. F. Ansel, twenty-eight 80-100 dollars; W. Perry Murphy, thirty-seven 80-100 dollars; J. E. McDonald, seven dollars; J. M. Johnson, twenty 60-100 dollars; John S. Wilson, twelve 20-100 dollars; O. L. Schumpert, nine 40-100 dollars; W. St. J. Jervy, twenty-six dollars; P. H. Nelson, thirteen dollars; for the pay of J. W. Williams, Porter (in the Engrossing Department), office of the Attorney General, sixty dollars; for the pay of Edward J. Jones, Flag Keeper, from the 25th day of November, 1890, to the 9th day of December, 1890, both inclusive, two dollars per day; for the pay of R. A. Cox, Flag Keeper, from the 10th day of December inclusive to the close of the session, two dollars per day; for the pay of Lewis Thomas, temporary Special Assistant to the Keeper of the State House, sixty dollars, to be paid on the joint certificate of the two Houses, signed by the presiding officers thereof, and attested by the Clerks; for the incidental or contingent expenses of the Engrossing Department, four hundred and six 33-100 dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives; out of said amount for contingent fund of the Engrossing Department shall be paid the account of R. L. Bryan & Co., amounting to one hundred and forty-four 13-100 dollars, for articles furnished said Department for session of 1889; also the account of J. C. Stanley & Bro., amounting to twelve 20-100 dollars, for articles furnished said Department for session of 1889.

Mileage of Solicitors.

Porter.

Flag Keepers.

Special Assistant.

Contingent expenses.

R. L. Bryan & Co.

J. C. Stanley & Bro.

MISCELLANEOUS.

SEC. 5. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, namely:

Miscellaneous expenses.

For the pay of extra clerical services in the Engrossing Department, two hundred and fifty dollars, to be paid on the joint certificates of the presiding officers of the two Houses, signed by the presiding officers thereof, and attested by the Clerks, upon the application of the Attorney General.

Extra clerical services.

A. D. 1890. For preparing for the printer, indexing and making marginal notes of the Acts and Joint Resolutions of the regular session of 1890, to be done under the supervision of the State Reporter, two hundred and fifty dollars.

Preparing Acts for publication. For the pay of George E. Friday and Javan Barnett, Doorkeepers of the Senate, for four days' services, from the 25th day of November to the 28th day of November, 1890, each twelve dollars, to be paid on certificates signed by the President of the Senate and attested by the Clerk of the Senate.

Geo. E. Friday and Javan Barnett. For the pay of W. B. Roberts, Laborer of the House of Representatives, for four days' services, eight dollars, to be paid on certificate signed by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives.

W. B. Roberts. For the pay of George S. Legare, Clerk of the Committee on Privileges and Election, eighteen days, at three dollars per day, to be paid on certificate signed by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives.

Geo. S. Legare. For the per diem and mileage and stationery certificate of W. L. Mauldin, Lieutenant-Governor, from the 25th day of November, 1890, to the 4th day of December, 1890, one hundred thirty-three 60-100 dollars, to be paid on certificate signed by the President of the Senate and attested by the Clerk of the Senate.

Lieutenant Governor Mauldin. For the pay of the per diem, mileage and stationery certificates of H. M. Lofton, J. V. Breeland, M. P. Richardson, Andrew Singleton and T. H. Wallace, sitting members from Berkeley County, from the 25th day of November, 1890, to the 8th day of December, 1890, inclusive, five hundred and thirty-three 40-100 dollars; and for the pay of the per diem, mileage and stationery certificates of A. K. Sanders and Frank Millett, sitting members from Sumter County, from the 25th day of November, 1890, to the 8th day of December, 1890, inclusive, one hundred and sixty-nine 60-100 dollars, to be paid on certificates signed by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives.

Berkeley members. For the payment of the witnesses in the House of Representatives' contested case of Berkeley County, one hundred and five 40-100 dollars; for the payment of the witnesses, Sheriff and Notary in the House of Representatives' contested case of Sumter County, one hundred and ninety 75-100 dollars; for the pay of the witnesses in the House of Representatives' contested case of

Sumter members.

Expenses of contested cases.

Chesterfield County, fourteen 30-100 dollars, as per statement filed with the Clerk of the House of Representatives, to be paid on certificates signed by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives.

A. D. 1890.

To pay the claim of Edward McCrady, Jr., Chairman of the Committee on Privileges and Election in the late House of Representatives, and *ex officio* a member of the State Board of Canvassers, for per diem and mileage, sixty-one dollars. And to pay to L. S. Connor and J. C. McMillan, traveling expenses as sub-Committee of the House Penitentiary Committee, each two and 95-100 dollars.

E. McCrady, Jr.

Sub-Committee.

SEC. 6. That the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of per diem and mileage due to each member of the Senate and House of Representatives, and to each officer and employee of that branch of the General Assembly to which such officer and employee shall respectively belong, signed by the respective officers and properly attested by the Clerks of such branch of the General Assembly.

Pay certificates.

SEC. 7. That this Act shall take effect from and immediately after its date of approval, and all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are, for the purposes of this Act, hereby repealed.

When to take effect.

Repealing clause.

Approved December 23d, A. D. 1890.

AN ACT TO PROVIDE FOR THE ELECTION OF CHAPLAINS OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH CAROLINA AND TO FIX THEIR COMPENSATION. No. 441.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by authority of the same, That from and after the passage of this Act the Senate and House of Representatives of the State of South Carolina shall annually elect on the first day of the session Chaplains, who shall serve as such officers during the session.

Chaplains to be elected.

A. D. 1890.
 Salary.

SEC. 2. That each of said Chaplains shall receive a salary of fifty dollars for the session, which shall be paid in the same manner as the officers of the respective houses are paid for their services.

Approved December 23d, A. D. 1890.

No. 442. A JOINT RESOLUTION PROVIDING FOR THE INVESTMENT OF ALL FUNDS IN THE HANDS OF THE STATE TREASURER UNDER THE CLEMSON BEQUEST AND DIRECTING HIM TO PAY THE INTEREST ARISING THEREON TO THE BOARD OF TRUSTEES OF THE CLEMSON AGRICULTURAL COLLEGE.

SECTION 1. *Be it resolved* By the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer shall securely invest and reinvest the funds now in his hands and such as may hereafter come into his hands derived from the Clemson bequest in such manner as he shall be directed by the Governor, the Comptroller General and the Treasurer of the State, or any two of them.

SEC. 2. That the State Treasurer is hereby authorized to collect the interest annually upon all investments made of funds of the Clemson bequest, and pay the same over to the Treasurer of the Board of Trustees of Clemson Agricultural College.

SEC. 3. That it shall be the duty of the State Treasurer, under the direction of the Governor, the Comptroller General and the Treasurer of the State, or any two of them, to enforce the collection of the principal or interest due on any investments made of such Clemson bequest.

Approved December 23d, A. D. 1890.

AN ACT TO AUTHORIZE SCHOOL TRUSTEES TO SELL ANY SCHOOL PROPERTY, REAL OR PERSONAL, IN THEIR SEVERAL DISTRICTS, AND TO APPLY THE PROCEEDS TO THE SCHOOL FUND OF THEIR SEVERAL DISTRICTS. A. D. 1890.
No. 443.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Trustees of the several School Districts in this State be, and are hereby, authorized and empowered to sell any school property, real or personal, in their several School Districts whenever they deem it expedient so to do, and to apply the proceeds of such sale or sales to the school fund of the District wherein such sale is made: *Provided*, That the consent of the School Commissioner of the County be first obtained by the Trustees desiring to make such sale. Sale of property authorized.
Application of proceeds.
Proviso.

SEC. 2. That it shall be the duty of the said Board of Trustees, within thirty days after said sale, to enclose a report of the same to the School Commissioner, setting forth the terms and amount of said sale. Report of sales.

Approved December 23d, A. D. 1890.

AN ACT TO RAISE SUPPLIES AND MAKE APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1890. No. 444.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of four and three-fourths ($4\frac{3}{4}$) mills, exclusive of the public school tax hereinafter provided for, upon every dollar of the value of all taxable property of this State, be, and the same is hereby, levied for the purpose of meeting appropriations to defray the current expenses of the Government for the fiscal year commencing November 1, 1890, and to meet such other indebtedness as has been, or shall be, provided for in the several Acts and Joint Resolutions passed by this General Assembly at the regular session of 1890 providing for the same. General levy for State purposes.

SEC. 2. That a tax is hereby levied upon all taxable property in each of the Counties of this State for County purposes for Levy for County purposes.

- A. D. 1890. the fiscal year commencing November 1, 1890, to the amounts hereinafter respectively stated, that is to say :
- Abbeville 3 mills.** For the County of Abbeville, for ordinary County expenses, three mills.
- Anderson 3¼ mills.** For the County of Anderson, for ordinary County purposes, three mills; for past indebtedness, one-fourth of one mill.
- Aiken 3¼ mills.** For the County of Aiken, for ordinary County purposes, three and one-fourth mills; for past indebtedness, one-fourth of one mill.
- Barnwell 4½ mills.** For the County of Barnwell, for ordinary County purposes, four and one-half mills, of the proceeds of which the sum of seven thousand two hundred dollars shall be held and appropriated exclusively for the payment of the certificates of jurors, State witnesses and Court Constables during the present fiscal year, and any surplus thereof be carried over to the credit of the same special fund for the next ensuing fiscal year; and the County Commissioners are hereby authorized to borrow any sum, not exceeding two thousand two hundred dollars, which may be necessary to supplement said special fund now on hand, for the cash payment of the certificates of jurors, State witnesses and Court Constables, which shall be issued at the March and July terms of the Courts in 1891, which loan shall be charged upon said special fund and be paid out of the first proceeds of said levy therefor.
- Beaufort 4¼ mills.** For the County of Beaufort, for ordinary County purposes, three and one-fourth mills; for past indebtedness, one mill; for roads and bridges, one-half of one mill; and the proceeds derived from the issuing of liquor licenses shall be applied, first to the payment of the Court expenses (General Sessions and Common Pleas), and the remainder, if any, to the fund for ordinary County purposes. That the residue of the proceeds derived from liquor licenses during the last fiscal year now in the hands of the County Treasurer shall be applied to the payment of the ordinary County expenses for the said last fiscal year ending on the 31st October, 1890.
- Berkeley 5½ mills.** For the County of Berkeley, for ordinary County purposes, two mills; for past indebtedness, one-fourth of one mill; for Court expenses, two mills; for poor house and poor, one-half of one mill; for retiring County bonds and interest, three-eighths of one mill. And the County Commissioners are hereby authorized to borrow a sum of money, not exceeding fifteen thousand dollars, and to pledge the first collection of taxes for
- Court expenses.**
- Surplus.**
- Loan authorized.**
- Liquor license fund.**
- Loan authorized.**

ordinary County purposes for the payment of the sum so borrowed, said money borrowed to be applied, first to the payment of jurors, witnesses and Constables and Court expenses, and the balance to general County purposes.

A. D. 1890.

Court expenses.

For the County of Charleston, in which it shall be one and seven-eighths mills. That the proceeds of one-eighth of one mill of said levy, if so much be necessary, shall be set apart and applied to the use of the militia in said County, in accordance with the special Act thereto relating. That the remainder of said levy shall be applied as follows : The sum of eight thousand dollars, if so much be necessary, is hereby appropriated to meet the cost of continuing the construction of the stone roadway leading from the City of Charleston towards the County line, such sum to be expended entirely and directly in such work and repairs on said road, and not in the payment of salaries of any officials connected with such road ; and the remainder of the proceeds of said levy shall be used for general County purposes, including therein Court and jail expenses and the cost of necessary repairs to roads and bridges ; also, the sum of thirteen thousand dollars to pay the interest, to mature during the fiscal year commencing November the 1st, 1889, on the six per cent. bonds issued by said County, and also the installment of the principal of said bonds which will mature during said year ; also, one hundred and fifty dollars to the Superintendent of Highways at McClellanville, to pay his salary for the years 1890 and 1891. That out of the proceeds of the liquor license fund there shall be paid the amount of the installment of the County bonds which mature in the year 1891, with interest thereon, and also such sums as may be necessary to pay in full whatever balance may remain due and unpaid on the notes of the County Treasurer given by him under authority of law, or any deficiency caused by the payment of such notes out of any other funds, after which may be paid out of said proceeds the election expenses of the year 1890, amounting to seven hundred and ninety-five dollars, and the amount herein above appropriated for continuing the construction of the stone roadway. The balance of the liquor license fund shall be held by the County Treasurer and paid out by him proportionately towards salaries due by, and claims accrued or to accrue against, the said County for the fiscal year 1890-91, in the manner hereinafter provided, and without preference. That all other funds and

Charleston 1 7/8 mills.

Militia.

Stone roadway.

General purposes.

Interest on bonds.

Payment of bonds.

Superintendent of Highways.
Liquor license fund.

Deficiency.

Election expenses.

Salaries and claims.

<p>A. D. 1890.</p> <p>County purposes. Tax by City Treasurer for schools.</p>	<p>balances in the hands of, or to the credit of, the County Commissioners, not otherwise appropriated, or herein appropriated and not required, are hereby appropriated to general County purposes. That the City Treasurer of the City of Charleston shall levy and collect when the first installment of the city tax is paid, in addition to the one mill tax now provided by law, an additional tax of one-half of one mill, to be accounted for and paid over by the said City Treasurer as the said one mill tax is now accounted for and paid, and the proceeds thereof to be used in support of the public schools of said city. That the sum of five hundred dollars of the public school fund, appropriated to the support of the public schools in the City of Charleston, shall be used in aid of the Art School in the City of Charleston, in consideration that the instructor of such school shall give to the pupils of the city public schools such instruction in drawing as the Board of Commissioners of the public schools of the City of Charleston may require. That the County Treasurer of Charleston County be, and he is hereby, authorized and directed to borrow, from time to time, and as the same may be required, on his official note as County Treasurer, or other similar official evidences of indebtedness, a sum or sums not exceeding in all thirty-two thousand dollars, at a rate of interest not exceeding seven per cent. per annum, for the purpose of paying the salaries and commissions of all County officials whose salaries and commissions are fixed by law; also, to pay the Court expenses; also, to pay the installment and interest on the County debt to mature in 1891, should there be any deficiency therein after the payment hereinbefore directed from the liquor license fund, and also such expenditures for ordinary County purposes as require immediate payment; said sum so borrowed to be repaid, with interest thereon, by the said County Treasurer from the taxes levied upon, and to be collected in, the said County for the present fiscal year, as soon as the same may be collected, and to constitute a valid claim against said County and a prior lien on all of the County taxes levied, except the school tax and the tax for the use of the militia in the said County, for the present and future fiscal years, until the same are paid and discharged in full; such amounts, if so borrowed, to be paid on such salaries and claims without any preference whatsoever. That all claims against the County, except the salaries and commissions of County officers whose salaries and commissions are fixed by law, and the</p>
Art School.	
Loans authorized.	
Limit and purposes.	
Pledge of taxes.	
Exceptions.	
How payments are to be made.	

County Treasurer's notes hereinabove provided for, shall be paid upon the warrants of the County Commissioners, as now provided by law, the salaries and commissions of such officers whose salaries and commissions are fixed by law to be paid by the County Treasurer monthly, on the receipt of such officers, and said County Commissioners are hereby required to audit all claims, except such salaries and Treasurer's notes, presented to them, within ten days from the date of such presentation, and forthwith to draw their warrant on the County Treasurer for the amount so found due: *Provided*, The money to meet the same is in the hands of the County Treasurer.

A. D. 1890.

Audit of claims.

Warrants.

Proviso.

For the County of Chester, for ordinary County purposes, four and two-fifths mills; and for retiring and paying the interest on County bonds, three and one-eighth mills.

Chester 7,530 mills.

For the County of Chesterfield, for ordinary County purposes, five and one-half mills; and for interest on railroad bonds, nine six-tenths of one mill.

Chesterfield 16 1-10 mills.

For the County of Clarendon, for ordinary County purposes, three and one-fourth mills, to be distributed as follows: For Auditor, Treasurer's commissions, Clerk of Court, Jury Commissioner, and Board of Equalization, one thousand five hundred dollars; for Trial Justices and their Constables, eleven hundred dollars; for Sheriff, one thousand dollars; for the County Commissioners and their Clerk, eight hundred and fifty dollars; for poor house, five hundred dollars; for books, stationery and printing, two hundred dollars; for repairs of bridges, eight hundred dollars; for jurors and witnesses and Constables, twelve hundred dollars.

Clarendon 3 1/4 mills.
Appropriation.

For the County of Colleton, for ordinary County purposes, two and one-fourth mills; for deficiencies, one-eighth of one mill; for roads and bridges, one-half of one mill; for poor of County, one-eighth of one mill; for interest on County bonds, three-fourths of one mill: *Provided*, That all sums derived from the liquor license be applied: one-half to the payment, first of deficiencies on roads and bridges; second, of past indebtedness, and surplus, if any, to be applied to ordinary County purposes; the remaining one-half of said liquor license to the payment of dieting prisoners, for pay of jurors and Constables in attendance at Court, and for the payment of Sheriff and the Clerk of Court, if so much be necessary, surplus, if any, to be applied to ordinary County purposes; for interest on County railroad bonds, three-fourths of one mill, surplus, if any, to be

Colleton 4 1/4 mills.

Liquor license fund.

- A. D. 1890.** applied to the sinking fund provided for by Act of the General Assembly for the redemption of railroad bonds; and the County Commissioners of the said County are hereby authorized and empowered to borrow such amounts of money as may be necessary to pay at maturity the interest on said County railroad bonds as it becomes due: *Provided*, That no greater rate of interest than seven per cent. shall be paid, and the said County Commissioners are hereby instructed to give public notice of the time when and place where such interest will be paid.
- Loan authorized.**
- Darlington 4 mills.** For the County of Darlington, for ordinary County purposes, three mills, and for jail debt, one mill.
- Edgefield 2½ mills.** For the County of Edgefield, for ordinary County purposes, two and one-half mills; three-fourths of one mill to be set apart and used exclusively for past indebtedness, three-fourths of one mill for the pay of jurors and witnesses and Constables' certificates, three-fourths of one mill for repairing and building bridges, and the County Commissioners of Edgefield County are hereby authorized to borrow money for the purpose of repairing and building bridges, pledging for the payment of the same the proceeds of the three-fourths of one mill herein authorized to be levied for that purpose.
- Loan authorized. Pledge of taxes.**
- Fairfield 4½ mills.** For the County of Fairfield, for ordinary County purposes, three and one-half mills, and one mill for past indebtedness, and the County Commissioners are hereby authorized and required to borrow money, upon such terms and at such rate of interest as may seem to them reasonable, for the purpose of paying in cash the jail fees of the Sheriff of said County and the Court expenses of said County for and during the fiscal year 1890.
- Loan authorized.**
- Florence 3½ mills.** For the County of Florence, for ordinary and general County purposes, three and one-half mills.
- Georgetown 5½ mills.** For the County of Georgetown, for all County purposes, five and one-half mills; and for the purpose of erecting and maintaining a fence for stock law exemption between Black Mingo Creek and Pee Dee River, along the line between the Counties of Georgetown and Williamsburg, there shall be levied and collected a tax of thirty mills upon the assessed value of all the cattle, hogs, sheep, dogs and goats within all that section of said Georgetown County bounded as follows: On the West by the County of Williamsburg, on the South by Black Mingo Creek, and on all other sides by a straight line running from the mouth of Black Mingo Creek to Yawhanny Ferry, on the Pee Dee River, and the Great Pee Dee River.
- Stock tax.**

For the County of Greenville, for ordinary County expenses, three mills; for past indebtedness, one-half of one mill; for retiring Atlanta and Richmond Air Line Railroad bonds, one mill; for interest on the Atlanta and Richmond Air Line Railroad bonds, two mills; for interest on the Greenville and Laurens Railroad bonds, three-fourths of one mill, and one mill for building County jail.

A. D. 1890.

Greenville 8½ mills.

For the County of Hampton, for ordinary County purposes, four and three-fourths mills, one-half of one mill for past indebtedness for the fiscal year ending October 31st, 1890, and one-half mill for the purpose of completing the construction of the road the construction of which was authorized by the Act of 1885, page 183: *Provided*, That any balance in the Treasury arising from any tax levies of the present fiscal year, not specifically appropriated, shall be applied, in the next fiscal year, to paying certificates of jurors and witnesses and of such Constables as may be in attendance on the Courts of General Sessions and Common Pleas: *Provided, further*, That any unexpended balance in the hands of the Treasurer of Hampton County, arising from the collection of taxes in the fiscal year 1884-85 and 1885-86 to the credit of the common free school fund of said County be applied to the payment of any outstanding school claims and any school claims that may hereafter arise.

Hampton 5½ mills.

19 Stat., 183.

Appropriation of balances.

School claims.

For the County of Horry, for ordinary County purposes, two and three-fourths mills, and three-fourths of one mill for the poor of said County.

Horry 3½ mills.

For the County of Kershaw, for ordinary County purposes, three mills; for interest on railroad bonds, two and seven-tenths mills; for interest on money borrowed or to be borrowed for County expenses, three-tenths of one mill; for contingent expenses, one-tenth of one mill.

Kershaw 6 1-10 mills.

For the County of Lancaster, for ordinary County purposes, four mills, and three mills for interest on railroad bonds.

Lancaster 7 mills.

For the County of Lexington, for ordinary County purposes, three mills: *Provided*, That in anticipation of the collection of said tax the County Commissioners be, and they are hereby, authorized and empowered to borrow, on the credit of the County and upon the pledge of taxes first collected, and turn over to the County Treasurer, the sum of six thousand dollars (\$6,000), if so much be necessary, for the current expenses of the County for the fiscal year ending October 31st, 1891, at a rate of interest not exceeding seven (7) per cent. per annum: *And*

Lexington 3 mills.

Loan authorized.

Rate of interest.

- A. D. 1890. *provided, further*, That the money so borrowed shall be held and paid out by the County Treasurer as now provided by law : *And provided, further*, That the County Treasurer and County School Commissioner of Lexington County be, and they are hereby, authorized to borrow from time to time during the fiscal year such sums of money as may be necessary to pay the school claims of said County and to pledge the taxes to be collected for that purpose for the payment of the money so borrowed and the interest thereon : *Provided*, That the aggregate sum so borrowed shall not exceed the sum of seven thousand dollars, at a rate of interest not to exceed 7 per cent. per annum : *And provided, further*, That the money so borrowed shall be held and paid out by the County Treasurer as now provided by law.
- Loan to pay school claims.** **Laurens 6 mills.** For the County of Laurens, for ordinary County purposes, two and one-half mills ; for railroad tax, three and one-half mills.
- Limit and rate of interest.** **Marion $3\frac{1}{4}$ mills.** For the County of Marion, for ordinary County purposes, two and three-fourth mills ; for past indebtedness for 1889-90, three-fourths of one mill : *Provided*, Any surplus therefrom shall be applied to ordinary County expenses : *Provided, further*, That the County Commissioners of Marion County be, and they are hereby, authorized and empowered to borrow money, at any rate of interest allowed by law, to the extent of two-thirds of total taxes assessed against said County for County purposes, and to pledge the taxes of said County for such moneys as from time to time may be borrowed for actual need of said County, net cash being paid therefor.
- Loan authorized. Limit and rate of interest.** **Pledge of taxes.** **Marlboro 5 mills.** For the County of Marlboro, for ordinary County purposes, three mills ; for deficiencies in past fiscal years, two mills, to be paid in the order of their priority only, that is, the oldest claim due by the County first, and in the same order until all are paid.
- Newberry $3\frac{1}{4}$ mills.** For the County of Newberry, for ordinary County purposes, three and one-fourth mills.
- Orangeburg $3\frac{1}{4}$ mills.** For the County of Orangeburg, for ordinary County purposes, three and one-fourth mills.
- Oconee 4 mills.** For the County of Oconee, for ordinary County purposes, three and one-half mills ; for Court expenses, 1892, one-half of one mill.
- Pickens 10 mills.** For the County of Pickens, for ordinary County purposes, three mills ; for past indebtedness, three mills ; for railroads, four mills.

For the County of Richland, for ordinary County purposes, two and one-half mills; for improvements and repairs on the court house and other public buildings, also for reindexing the books of deeds and mortgages in the office of the Register of Mesne Conveyances for Richland County, one-fourth of one mill, if so much be necessary; for the payment of jurors', witnesses' and Constables' tickets for the fiscal year commencing November 1, 1891, three-fourths of one mill; and in addition thereto there shall be levied a tax of two and one-half mills in the School District of Columbia in lieu of any special tax authorized to be levied by "An Act to provide for the establishment of a new School District in Richland County, and to authorize the levy and collection of a local tax therein," approved December 24, 1880; and also an additional tax of one mill in Columbia Township for railroad purposes.

A. D. 1880.

Richland 4 mills.

School levy in Columbia $2\frac{1}{4}$ mills.

17 Stat., 404.

Interest on Township bonds.

Spartanburg 8 mills.

For the County of Spartanburg, for ordinary County purposes, three mills; for retiring railroad bonds and paying the interest on said bonds, two and one-half mills; for sinking fund of County, one mill; for court house, one and one-half mills.

For the County of Sumter, for ordinary County purposes, three mills.

Sumter 3 mills.

For the County of Union, for ordinary County purposes, four and one-half mills; for interest on railroad bonds, three one-half mills; for retiring railroad bonds, one mill; for past indebtedness, one and one-half mills. And the County Commissioners of Union County are hereby authorized, in anticipation of the collection of the tax for interest on railroad bonds, to borrow a sum of money equal to the amount of the levy for said purpose, and to pledge the same for the amount so borrowed. And the County Commissioners of Union County are hereby further authorized to borrow the sum of twenty-two hundred and fifty dollars to liquidate the jurors', witnesses' and Constables' certificates already passed upon by said Board; and an additional amount of twenty-two hundred and fifty dollars, if so much be necessary, for the purpose of paying jurors', witnesses' and Constables' certificates for the fiscal year 1890-91; also twenty-five dollars for the County Auditor for reassessing the property of Jonesville Township: *Provided*, No more than seven per centum per annum shall be paid as interest upon any amount so borrowed.

Union $10\frac{1}{4}$ mills.

Loan authorized.

Further loans.

Rate of interest.

For the County of Williamsburg, for ordinary County purposes, four mills; for first indebtedness, one and three-fourths

Williamsburg $5\frac{3}{4}$ mills.

- A. D. 1890.** mills. And the County Commissioners of Williamsburg County are authorized, in anticipation of the collection of the tax for ordinary County purposes and for past indebtedness, to borrow an amount not exceeding the sum of six thousand dollars, immediately, to pay the past indebtedness, and to hold the balance in the hands of the County Treasurer to pay the jurors, witnesses and Constables for the February and May terms of Court for the year 1891. In order to borrow the said amount, the Board of County Commissioners are hereby authorized to pledge the levy made for the past indebtedness, and the said Board are hereby authorized and empowered to pay as high as eight per cent. per annum interest for said loan, provided they cannot borrow the same at a lower rate of interest.
- Loan authorized.**
- Court expenses.**
- Pledge of taxes.**
- Rate of interest.**
- York 3¼ mills.** For the County of York, for ordinary County purposes, two and one-half mills ; for interest on bonds issued by York County in aid of the Chester and Lenoir Narrow Gauge Railroad and for retiring said bonds, one and one-fourth mills.
- Profits of Penitentiary to be paid into State Treasury.** SEC. 3. That the Board of Directors of the State Penitentiary are hereby directed to pay into the Treasury of the State at the end of each month, or within five days thereafter, all amounts received by them from the hire of convicts and from other sources, after first paying the necessary expenses of the said institution and all other disbursements authorized by law ; the said amounts so paid into the Treasury to be held subject to warrants of the Comptroller General to pay amounts appropriated by the General Assembly in the same manner as other funds in the Treasury. And the Board of Directors are hereby instructed, as far as practicable, in hiring out or working convicts, to hire or work the same on farms in healthy locations and which are exempt from danger of overflow.
- Location of convicts.**
- Deposit of State moneys.** SEC. 4. That all the proceeds of the taxes levied for and on account of the State as specified herein shall be deposited and kept by the State Treasurer in such bank or banks, or places of special deposit, as in the judgment or discretion of the Governor, the Comptroller General and the State Treasurer, or any two of them, shall afford sufficient protection to the interests of the State.
- Auditors and Treasurers to collect taxes.** SEC. 5. That the County Auditors and County Treasurers of the several Counties of this State are hereby required, under the direction and supervision of the Comptroller General, to make collection of the taxes levied under and pursuant to the provisions of this Act in the manner and at the time and under the

conditions hereinafter provided, and they are hereby forbidden to collect any other tax whatsoever levied for the fiscal year unless herein expressly authorized so to do, except the taxes authorized by law to meet the interest and retire the bonds issued by Counties and townships in aid of railroads, or taxes voted by towns or Counties, or assessed upon townships as subscriptions to railroads, and taxes to build fences under Statutes authorizing and directing the same, and except, also, the special school tax authorized to be levied in any School District of the State, and except such special tax or collection as is authorized by any Act or Joint Resolution of the General Assembly. And the County Treasurers of the several Counties of this State are hereby expressly prohibited from collecting any tax except such as have been first entered on the tax duplicates of their respective Counties, or upon the orders of the Auditors of said Counties: *Provided*, That said County Treasurers shall furnish the County Auditor of their respective Counties with the names of all taxpayers as may apply to pay their taxes against whom no taxes shall have been entered on the tax duplicates. And any State or County officer who shall fail to comply with, or shall evade, or attempt to evade, the provisions of this Act, shall be deemed guilty of a felony, and upon conviction thereof, shall be punished by fine not to exceed five thousand dollars, or imprisonment for a period of not more than five years, or both, in the discretion of the Court.

A. D. 1890.

No other tax
to be collected
except, &c.

All taxes to be
on duplicate.

List of tax-
payers not on
duplicate.

Penalties for
violations of
this Act.

SEC. 6. That there shall be assessed upon all taxable polls in this State a tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male citizen between the ages of twenty-one and fifty years, except those incapable of earning a support from being maimed or from other causes, and except those who are now exempt by law, shall be deemed taxable polls; and should any person fail or refuse to pay said poll tax, he shall be deemed guilty of a misdemeanor, and on conviction of the same before any Trial Justice or other Court having jurisdiction thereof shall be punished by a fine, which shall not exceed ten dollars, together with the cost of said suit, or by imprisonment in the County jail for a term not exceeding thirty days.

Poll tax.

Who liable.

Penalty for
non-payment.

SEC. 7. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds, and no other: gold and silver coin, United States currency, national bank notes, and coupons which shall become payable during the year

In what funds
payable.

- A. D. 1890.** 1891 on the consolidated bonds of this State, known as "Brown Bonds," and the bonds of this State known as "Blue Bonds," and on any other State bonds which may be issued by authority of any Act of the General Assembly, the coupons of which are by such Act made receivable for taxes: *Provided, however,* That jury certificates and the per diem of State witnesses in the Circuit Court shall be receivable for County taxes, not including school taxes.
- Jury and witness certificates.**
- When payable.** SEC. 8. That all taxes herein assessed shall be due and payable from the fifteenth day of October to the fifteenth day of December, 1891, and the several County Treasurers shall collect the same in the manner prescribed by law, and give receipts therefor to the several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same.
- Receipts.**
- Notice to be given by County Treasurers.** SEC. 9. That the County Treasurers, immediately upon the receipt of the tax duplicate for the year from the County Auditors, shall cause a notice to be inserted twice in one daily newspaper published at the County seat of their County, and if no daily paper be published at such County seat, then in one weekly paper published in such County, and if no paper be published in the County, then such notice shall be given in such manner as the County Treasurer may direct, stating the rate per centum of the levy for State purposes and the rate per centum for all other purposes on the duplicate for the present fiscal year, and if any special levies have been made on the property of a school or other district not affecting an entire County, the total rate of levies in such districts shall also be stated in such notice.
- Collection from delinquents.** SEC. 10. That when the taxes and assessments, or any portion thereof, charged against any property or party on the duplicate for the present fiscal year shall not be paid on or before the fifteenth day of December, 1891, the County Treasurer shall proceed to collect the same, together with the penalty of fifteen per centum on the amount so delinquent; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the second day of January, 1892, or collected by distress or otherwise, then the same shall be treated as delinquent taxes on such real and personal property and shall be collected by sale of such real and personal property according to law.
- Sale of property.**

SEC. 11. That all personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments as provided by law.

A. D. 1890.

Personal property delinquent.

SEC. 12. That all real property returned delinquent by the County Treasurer upon which the taxes shall not be paid by distress and sale of personal property or otherwise shall be seized and sold as provided by law.

Real property delinquent.

SEC. 13. That the County Commissioners in each of the several Counties of this State shall levy a tax of two mills on the dollar upon all taxable property of their respective Counties for the support of public schools in their respective Counties, which shall be collected at the same time and by the same officers as the other taxes for this year, and shall be held in the County treasuries of the respective Counties and paid out exclusively for the support of public schools as provided by law.

School tax.

SEC. 14. That all personal property used in connection with mines and mining claims, and all lands not actually mined connected with mines and mining claims, shall be assessed for taxation and be taxed as is done in the case of other personal and real estate. That in all cases where land is actually mined such land shall not be assessed for taxation or taxed, but in lieu thereof the gross proceeds alone of such mines and mining claims shall be assessed and taxed, and such gross proceeds shall be ascertained and determined by the cash market value of the material mined.

Mines and mining claims.

SEC. 15. That in anticipation of the collection of the taxes hereinbefore levied, the Governor and the State Treasurer be, and they are hereby, empowered to borrow on the credit of the State so much money as may be needed to meet promptly at maturity the interest which shall mature during the year 1891 on the valid debt of the State, and to pay the current expenses of the State Government for the present fiscal year: *Provided*, That the sum so borrowed shall in no event exceed the amount of three hundred thousand (\$300,000) dollars.

Governor and Treasurer may borrow.

Limit.

SEC. 16. That this Act shall take effect from and immediately after its approval.

When to take effect.

Approved December 23d, A. D. 1890.

A. D. 1890.

No. 445.

AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY
EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL
YEAR COMMENCING NOVEMBER 1ST, 1890.

General appro-
priation clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the ordinary expenses of the State Government for the fiscal year commencing November 1st, 1890 :

EXECUTIVE DEPARTMENT.

Executive De-
partment.

SEC. 2. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Executive Department, as follows :

Governor's De-
partment.

2. For the salary of the Governor, thirty-five hundred dollars ; for the salary of the Governor's Private Secretary, fifteen hundred dollars ; for the salary of the Governor's Messenger, four hundred dollars ; for the contingent fund of the Governor, for rewards and other purposes, five thousand dollars ; for stationery and stamps for the Governor, two hundred and fifty dollars.

Secretary of
State's De-
partment.

3. For the salary of the Secretary of State, twenty-one hundred dollars ; for the salary of the Clerk of the Secretary of State, fifteen hundred dollars ; for the contingent fund of the Secretary of State, one hundred and fifty dollars ; for stationery and stamps for the Secretary of State, two hundred and twenty-five dollars.

Comptroller
General's De-
partment.

4. For the salary of the Comptroller General, twenty-one hundred dollars ; for the salary of the Chief Clerk of the Comptroller General, fifteen hundred dollars ; for the salary of the Bookkeeper of the Comptroller General, fifteen hundred dollars ; for the contingent fund of the Comptroller General, two hundred dollars ; for stationery and stamps for the Comptroller General, two hundred and fifty dollars ; for printing for the Comptroller General, two hundred dollars ; for the use of the Comptroller General in examining the books and papers and accounts pertaining to the offices of the Auditors and Treasurers of the respective Counties, as required in Section 224 of the General Statutes, three hundred dollars, if so much be necessary, to be paid upon the warrant of the Comptroller General, who shall file, as vouchers, itemized statements of the

Vouchers for
inspection & ex-
penses.

actual expenses incurred in each inspection, sworn to by the person making the inspection.

A. D. 1890.

5. For the salary of the State Treasurer, twenty-one hundred dollars; for the salary of the Chief Clerk of the State Treasurer, fifteen hundred dollars; for the salary of the Bookkeeper (Loan Department) of the State Treasurer, fifteen hundred dollars; for the salary of the General Bookkeeper of the State Treasurer, fifteen hundred dollars; for the contingent fund of the State Treasurer, two hundred dollars; for stationery and stamps for the State Treasurer, two hundred dollars.

State Treasurer's Department.

6. For the salary of the State Superintendent of Education, twenty-one hundred dollars; for the salary of the Clerk of the State Superintendent of Education, twelve hundred dollars; for the contingent fund of the State Superintendent of Education, one hundred and fifty dollars; for stationery and stamps for the State Superintendent of Education, one hundred and fifty dollars; for printing books and blank forms for the use of the public schools, four hundred dollars; for the traveling expenses of the State Superintendent of Education and the State Board of Examiners and board of the members of said Examining Board, three hundred dollars, if so much be necessary: *Provided*, That an itemized statement of such expenses be kept by the State Superintendent of Education and reported by him to the next General Assembly.

State Superintendent of Education's Department.

Traveling expenses.

7. For the salary of the Adjutant and Inspector General, fifteen hundred dollars; for the salary of the Clerk of the Adjutant and Inspector General, twelve hundred dollars; for the salary of the State Armorer, five hundred dollars; for the contingent fund of the Adjutant and Inspector General, one hundred dollars; for stationery and stamps for the Adjutant and Inspector General, one hundred dollars; for collecting arms, freight, advertising, printing, expenses of inspections, purchasing missing parts of arms and ammunition, five hundred dollars, if so much be necessary.

Adjutant and Inspector General's Department.

8. For the purpose of assisting companies to maintain their organizations, ten thousand dollars, to be disbursed by the Adjutant and Inspector General in accordance with the provisions of the militia laws of this State, if so much be necessary, to be paid on the order of the Adjutant and Inspector General upon the warrant of the Comptroller General.

Military companies.

9. For the salary of the Attorney General, twenty-one hundred dollars; for the salary of the Assistant Attorney General,

Attorney General's Department.

- A. D. 1890.** fifteen hundred dollars; for the contingent fund of the Attorney General, one hundred and twenty-five dollars; for stationery and stamps for the Attorney General, fifty dollars; for the expenses of litigation, one thousand dollars, if so much be necessary; and the Attorney General is hereby authorized and required to conduct all litigation which may be necessary for any of the Departments of the State Government, or any of the Boards connected therewith; and all such Departments or Boards are hereby forbidden to employ any counsel for any purpose, except through the Attorney General and upon his advice:
- Attorney General to conduct litigation for all State officers.**
- Provisoos.** *Provided*, That this provision shall not apply to suits pending prior to December 22d, 1882: *Provided, further*, That out of the litigation fund the Attorney General shall also pay for dockets and blank indictments for the several Circuit Solicitors and such other expenses incidental to prosecutions as he may deem advisable.
- Dockets and indictments for Solicitors.**
- State Librarian.** 10. For the salary of the State Librarian, six hundred and twenty-five dollars; for the contingent fund of the State Librarian, one hundred and twenty-five dollars; for stationery and stamps for the State Librarian, two hundred dollars; for purchase of books, five hundred dollars, if so much be necessary.
- State House Keeper and grounds.** 11. For the salary of the State House Keeper, five hundred dollars; for the contingent fund of the State House Keeper, for work on State House grounds, one hundred dollars, if so much be necessary: *Provided*, That the Superintendent of the Penitentiary be required, whenever called on by the State House Keeper, to furnish such convict labor as he may need to keep said grounds in good order.
- Convict labor.**
- Watchmen.** 12. For the salary of two watchmen for the State House and grounds, eight hundred dollars.
- Janitor.** 13. For the salary of the Janitor of the State House, one hundred and sixty dollars.
- Engineer and Assistants.** 14. For the salary of J. R. Wilkerson, engineer of the State House heating apparatus (for seven months during the year), seventy-five dollars per month; for the pay of John Richter and Henry Smith, firemen of the State House heating apparatus (for seven months during the year), twenty-five dollars per month; and the engineer be paid twenty-five dollars per month for the balance of the year for keeping in order the engine, boilers, &c.: *Provided*, That he attend to them at least once in every fifteen days; this amount to be in full of all charges for labor.
- Proviso.**

OF SOUTH CAROLINA.

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JUDICIAL DEPARTMENT.

A. D. 1890.

SEC. 3. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Judicial Department, as follows:

2. For the salary of the Chief Justice, four thousand dollars; for the salary of two Associate Justices, seven thousand dollars.

3. For the salary of the eight Circuit Judges, twenty-eight thousand dollars; for the salary of the eight Circuit Solicitors, twelve thousand five hundred dollars; for the pay of the stenographers of the Circuit Courts, ten thousand two hundred dollars.

4. For the salary of the Clerk of the Supreme Court, one thousand dollars; for the salary of the State Reporter, one thousand dollars; for the salary of the Librarian of the Supreme Court and other officers to be appointed by the Supreme Court, thirteen hundred dollars; for the contingent fund of the Supreme Court, five hundred dollars; for the purchasing of books for the Supreme Court Library, one thousand dollars.

5. For purchasing one hundred copies each of the 33 and 34 volume of the Supreme Court Reports, nine hundred dollars.

Judicial Department.

Justices of Supreme Court,

Circuit Judges.
Solicitors.

Stenographers.

Clerk of Supreme Court.
State Reporter.

Other officers.
Contingent fund.

Books.

S. C. Reports.

HEALTH DEPARTMENT.

SEC. 4. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Health Department, as follows:

2. For the salary of the Quarantine Officer of Charleston, eighteen hundred dollars; for the expenses of maintaining Quarantine Station, Charleston Harbor, one thousand dollars.

3. For the salary of the Quarantine Officer at St. Helena, eight hundred dollars; for expenses of Quarantine Station at St. Helena, one hundred and fifty dollars.

4. For the salary of the Quarantine Officer at Port Royal, eight hundred dollars; for the expenses of Quarantine Station at Port Royal, three hundred dollars; for the salary of the Keeper of the Hospital Buildings at Port Royal, two hundred dollars.

5. For the salary of the Quarantine Officer at Georgetown, five hundred dollars; for expenses of Quarantine Station at Georgetown, one hundred and fifty dollars.

6. For the salary of the Keeper of the Lazaretto, four hundred dollars.

Health Department.

Charleston.

St. Helena.

Port Royal.

Georgetown.

Lazaretto.

- A. D. 1890.** 7. For the purpose of carrying out the provisions of the Act establishing a State Board of Health, fifteen hundred dollars.
- State Board of Health.** 8. For the purpose of carrying out the provisions of an Act for quarantining the State against contagious and infectious diseases, three thousand dollars.
- Contagious diseases.**
- Publication of tracts.** 9. For the cost of publishing tracts to be issued by the State Board of Health relating to contagious and infectious diseases, five hundred dollars.

TAX DEPARTMENT.

- Tax Department.** SEC. 5. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Tax Department, as follows :
- Auditors.** 2. For the salaries of the County Auditors, twenty-two thousand nine hundred dollars.
- Printing books.** 3. For printing books, &c., for County Auditors and Treasurers, two thousand five hundred dollars.

SOUTH CAROLINA UNIVERSITY.

- South Carolina University.** SEC. 6. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the South Carolina University, to wit :
- Insurance and repairs.** 2. For the payment of the insurance and repairs on the University buildings, two thousand five hundred dollars, to be paid on the application of the Board of Trustees upon the warrants of the Comptroller General.
- Librarian.** 3. For the salary of the Librarian of the South Carolina University, five hundred dollars.
- Schools at University in Columbia.** 4. For the purposes of the schools in the South Carolina University at Columbia, to be used in the manner prescribed by law, thirty-four thousand five hundred dollars, to be paid upon the application of the Board of Trustees of the South Carolina University on the warrants of the Comptroller General ; that the sum of three thousand dollars be appropriated for the use of the
- Mechanical Department.** **Clafin College.** **Citadel Academy.** 5. For the support of the beneficiary cadets at the Citadel Academy, twenty thousand dollars, to be paid on the warrants of the Comptroller General, issued upon the requisition of the Chairman of the Board of Visitors of said Academy.

6. For the payment of the insurance on the Citadel buildings, A. D. 1890.
four hundred dollars, if so much be necessary. Insurance on Citadel.

7. That the sum of fifty-two hundred and fifty dollars, if so much be necessary, be, and the same is hereby, appropriated for the scholarships provided by law for the Winthrop Training School, for the scholastic year beginning in September, 1891, and ending in June, 1892. Winthrop Training School

CLEMSON AGRICULTURAL COLLEGE.

SEC. 7. That the sum of sixteen thousand nine hundred and eighty-nine 76-100 dollars balance of privilege tax on fertilizers in the Treasury on the 1st day of November, 1890, except the sum of nineteen hundred and ninety-five 78-100 dollars, which shall remain in the Treasury to meet the indebtedness of Department of Agriculture now incurred and outstanding, and the proceeds of the privilege tax on fertilizers, after paying the expenses of collecting the same, already and hereafter to be collected for and during the fiscal year beginning November 1st, 1890, not to exceed the sum of forty thousand dollars, and also the income arising from the devise and bequest of the late Thomas G. Clemson accepted by the State, be, and the same are hereby, appropriated for the erection and maintenance of Clemson College, the same to be paid by the State Treasurer to the Treasurer of the Board of Trustees of Clemson College, on the application of said Board of Trustees, on the warrant of the Comptroller General. Privilege tax. Exception. Income of Clemson devise and bequest. To be paid to Board of Trustees.

PENAL AND CHARITABLE INSTITUTIONS.

SEC. 8. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the penal and charitable institutions, as follows : Appropriation.

South Carolina Penitentiary.

2. For the salary of the Superintendent of the Penitentiary, twenty-one hundred dollars; for the salary of the Captain of the Guard, twelve hundred dollars; for the salary of the Physician of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, twelve hundred dollars; for the salary of the Chaplain of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, six hundred dollars; for the salary Officers of Penitentiary.

A. D. 1890. of the Clerk of the Penitentiary, twelve hundred dollars, for which amounts the Comptroller General is authorized and directed to issue his warrants, any law to the contrary notwithstanding. That any balance in the hands of the Board of Directors of the South Carolina Penitentiary on October 31, 1890, together with all other amounts received or to be received from the hire of convicts, or from any other source, during the current fiscal year, be, and the same are hereby, appropriated for the support of the Penitentiary and for other purposes hereinafter indicated, and for any purposes required by law which are not herein indicated. For the per diem and mileage of the Directors of the South Carolina Penitentiary, each of whom shall be entitled to receive five dollars per diem for each day of actual attendance on the meetings of said Board, and five cents per mile for the actual distance traveled by the most direct route going to and returning from the home of said Director to the place of meetings of the said Board, and the annual report of the Superintendent of the South Carolina Penitentiary shall contain, in a separate account, an itemized statement of the amount expended for account of said per diem and mileage, showing the amount paid to each Director on each of said accounts, two thousand dollars, if so much be necessary; for the current expenses of the Penitentiary, so much as may be necessary; for purchasing arms and ammunition, two hundred dollars, if so much be necessary; for the purchase of Bibles, Testaments and other religious literature for the use of convicts, forty dollars.

Income of Penitentiary.

Per diem and mileage of Directors.

Itemized statement.

Current expenses and arms.

Bibles, &c.

South Carolina Lunatic Asylum.

Superintendent and Regents. 3. For the salary of the Superintendent and Physician of the Lunatic Asylum, three thousand dollars; for the per diem and mileage of the Board of Regents of the Lunatic Asylum, each of whom shall be entitled to receive five dollars per day for each day actually engaged in attending the meetings of said Board, and a mileage of five cents for each mile actually traveled, two thousand dollars, if so much be necessary; for the current expenses in support of the Lunatic Asylum, one hundred thousand dollars; for insurance, three thousand dollars, if so much be necessary; and for patients' library, one hundred dollars, to be paid as other appropriations.

Current expenses.

Insurance.

Library.

The Deaf, Dumb, and Blind Asylum.

A. D. 1890.

4. For the support of the Deaf, Dumb and Blind Asylum, fourteen thousand dollars, if so much be necessary; for insurance, four hundred and twenty-five dollars; for repairs, five hundred dollars.

Cedar Springs
Institute.*Catawba Indians.*

5. For the Catawba Indians, eight hundred dollars, to be paid upon the application of the Agent upon the warrant of the Comptroller General: *Provided*, The said Agent, before receiving said warrant, enter into bond in the sum of sixteen hundred dollars, with surety to be approved by the Governor, for the faithful discharge of his duty in the disbursement of any funds which hereafter may come into his hands.

Catawba In-
dians.Agent to give
bond.

MISCELLANEOUS.

SEC. 9. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, as follows:

Appropriation.

2. For the Civil Contingent Fund, one thousand dollars, to be paid on the order of the Governor, upon the warrant of the Comptroller General.

Civil contin-
gent fund.

3. For the purposes of an Act entitled "An Act to provide for the payment of water used in the public institutions of the State located in Columbia," approved February 9th, 1882, one thousand dollars, to be paid on the warrants of the Comptroller General, issued in accordance with the provisions of said Act.

Water in public
buildings.

17 Stat., 941.

4. To pay the expenses of the Joint Committee of the two Houses appointed to examine the books of the State Treasurer for the fiscal year ending October 31st, 1890, one hundred and forty-four dollars.

Committee to
examine Treas-
urer's books.

5. For defraying the expenses of the continuance of the consolidation of the bonded debt of the State, as provided by law, one thousand dollars, if so much be necessary, the sum to be paid on the application of the State Treasurer, upon the warrant of the Comptroller General.

Consolidation
of bonded debt.

6. To pay the claims passed by the General Assembly at its regular session of 1890, five thousand dollars, if so much be necessary, to be paid by the State Treasurer upon the warrants of the Comptroller General.

Claims.

- A. D. 1890.
Public printing.
Railroad Commission.
7. To pay for the public printing of this fiscal year, twenty thousand dollars, if so much be necessary.
8. For the salaries of the Railroad Commissioners, six thousand three hundred dollars; for the salary of the Clerk of the Railroad Commissioners, twelve hundred dollars; and three hundred and fifty dollars to pay the contingent expenses of the office for the fiscal year commencing November 1st, 1890, if so much be necessary, to be advanced by the State until the same shall have been collected from the railroad companies of this State in the manner prescribed by law, and when collected the same shall be replaced in the State Treasury, and the Commissioner of Agriculture is hereby required to furnish suitable office room for the said Railroad Commissioners and their Clerk in the Agricultural Building.
- Office of R. R. Commission.
- Supervisors of Registration.
9. For the salaries of the Supervisors of Registration, thirty-six hundred dollars; that is to say, to pay the Supervisors of Registration for each County in the State, except Charleston County, the sum of one hundred dollars for the services to be rendered during the fiscal year commencing November 1, 1890, and to the Supervisor of Registration for Charleston County the sum of two hundred dollars, for services to be rendered during the same period, said amounts to be paid on the first day of June, 1891, out of any money in the Treasury not otherwise appropriated.
- Transportation of convicts.
10. For the transportation of convicts to the Penitentiary from the several Counties of this State, five thousand dollars, if so much be necessary, to be paid on the application of the Superintendent of the Penitentiary, approved by the Board of Directors, upon the warrants of the Comptroller General.
- Governor's Mansion.
11. For repairs and improvements to the Governor's Mansion, and for insurance and lighting, five hundred dollars, if so much be necessary, to be paid on the order of the Governor, upon the warrant of the Comptroller General.
- Lighting of State House.
12. For paying for lighting the State House and grounds, twelve hundred dollars, if so much be necessary.
- Fuel.
13. To pay for fuel for the purpose of heating the State House, twelve hundred dollars, if so much be necessary.
- Pensions.
14. For the purposes of an Act entitled "An Act to provide for the relief of certain soldiers, sailors, and widows of soldiers or sailors of the late war between the States," approved December 24th, A. D. 1887, or Acts amendatory thereto, and clerical expenses incident thereto, not to exceed four hundred dollars,
- 19 Stat., 896.
Clerical expenses.

and one hundred and twenty dollars additional, balance of salary due Wade H. Manning, as Pension Clerk, and one hundred and twenty dollars additional for necessary stationery and postage expenses incident thereto, fifty thousand dollars, if so much be necessary, said appropriation, except as to clerical expenses, to be paid, one-half on the 15th day of June, 1891: *Provided, further,* That the Pension Board shall, before paying out any of the amount hereby appropriated, revise the whole list of pensioners and pay only to those found to be in actual need of support whose names are now on the list, or may hereafter be put thereon: *Provided,* That the Governor be, and he is hereby, authorized to borrow from time to time such amounts as may be necessary to meet this appropriation.

A. D. 1890.

Revision of
lists.

Loan.

15. To pay the salary of the Index Clerk in the Secretary of State's office, twelve hundred dollars, to be paid as provided in "Joint Resolution to provide for the indexing of all records in the office of Secretary of State," approved December 23, A. D. 1889.

Index Clerk.

Ante 294.

16. To pay the salary of Commission to revise, digest and arrange the laws of this State, two thousand five hundred dollars; and to pay the salary and incidental expenses of said Commission, two hundred and fifty dollars, as provided by Act of this General Assembly, approved December 23, A. D. 1889.

Commission to
revise laws.

Ante 296.

17. For the completion of the work to be done on the front and rear gable of the State House, three thousand dollars, if so much be necessary, to be expended under the supervision of the State House Commission; that the sum of fifteen hundred dollars, if so much be necessary, be appropriated for improving the ventilation of House and Senate Chamber and also protecting the entrance at Eastern end of the State House.

State House.

18. To pay Frank Niernsee, engineer, for making survey and report as to best system of sewerage for Lunatic Asylum, work done at instance of Committees by order of House Resolution, one hundred and fifty dollars.

Frank Niern-
see for survey.

INTEREST ON THE PUBLIC DEBT.

SEC. 10. That the sum of three hundred and eighty-three thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the interest on the valid debt of the State which shall mature and become payable on the first day of January and on the first day of July in the year 1891, and for unpaid interest payable in prior years.

Interest on
valid debt.

- A. D. 1890. **SEC. 11.** That the amounts specified in the several preceding Sections of this Act for salaries and clerical services shall be paid in monthly installments, and shall be paid upon the warrants of the Comptroller General, and the amounts specified for contingent funds and stationery, as shall be required, shall be paid upon the warrants of the Comptroller General on the application of various officers entitled to the same: *Provided*, That the accounts and vouchers upon which said applications are made shall be filed with the Comptroller General before issuing his warrants on the State Treasurer for the same; and that for the amounts required by the various officers for the purchase of stamps, the Comptroller General is hereby authorized to issue his warrant to said officer.
- Salaries to be paid monthly.**
- How paid.**
- Vouchers to be filed.**
- Stamps.**
- Moneys to be accounted for by public officers.** **SEC. 12.** That the moneys hereinbefore set apart to be used as contingent funds and for other purposes by the various officers of the State Government shall be duly accounted for, and such officer shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before the first day of December, 1891: *Provided*, That no officer authorized to make contracts or draw funds from said appropriations shall expend or make contracts for expending more than has been specified for any purpose by this Act.
- No contract to exceed appropriation.**
- Compensation not to exceed salaries as fixed by law.** **SEC. 13.** That in the event that salaries or other compensation for services now provided for by law for officers, clerks and other persons for which appropriation is herein made shall be fixed by law at other rates than those herein provided for, only so much of the sums hereinabove appropriated shall be paid as may be necessary to conform to the law applicable to such salaries or compensation.
- When to take effect.** **SEC. 14.** That this Act shall take effect from and immediately after its approval.
- Repealing clause.** **SEC. 15.** That all Acts and Joint Resolutions, or parts of Acts and Joint Resolutions, inconsistent or conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

AN ACT TO REORGANIZE AND PROVIDE FOR THE UNIVERSITY OF SOUTH CAROLINA, CONSTITUTING THE BOARD OF TRUSTEES OF THE SAME, AND DEFINING THEIR POWERS AND DUTIES.

A. D. 1890.

No. 446.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That "an Act to amend Chapter XX of the General Statutes, entitled 'Of the University of South Carolina,'" approved December 22d, A. D. 1887, and also Sections 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044 of the General Statutes of this State being part of Chapter XX, and entitled Of the University of South Carolina, be, and the same are hereby, repealed.

Repealing clause.

19 Stat., 808.

SEC. 2. That the University of South Carolina shall be, and it is hereby, divided into branches, the one located in the City of Columbia, and styled the South Carolina College; another in or near the Town of Orangeburg, to be styled the Claflin College; another the South Carolina Military Academy. The said University and the said branches thereof, in Columbia and Orangeburg, shall be, and are hereby, placed under the control and management of the Board of Trustees of the University of South Carolina now in office, and their successors elected according to law. The South Carolina Military Academy shall be subject to the sole control and supervision of its Board of Visitors.

Branches of the University.

Control and management vested in Board of Trustees.

Board of Visitors of S. C. Military Academy.

SEC. 3. The Board of Trustees shall consist of the Governor of the State for the time being, the Justices of the Supreme Court, the State Superintendent of Education, the Chairmen of the Committees of Education of the Senate and the House of Representatives, for the time being, and nine persons to be elected on the joint vote of the General Assembly, who shall hold their offices for a term of six years, and until their successors shall be appointed, the last nine Trustees to be elected immediately after the approval of this Act, three of whom shall go out of office at the expiration of the first two years, three others at the expiration of the first four years and three others at the expiration of the first six years; the said nine Trustees to decide by lot their respective terms.

Ex officio members of Board.

Nine Trustees to be elected.

Expiration of term.

To be decided by lot.

SEC. 4. The said Board of Trustees is a body corporate and politic, in deed and in law, by the name of the University of South Carolina, and by said name they and their successors shall have perpetual succession, and be able and capable in law to

Incorporation of Board. Name.

Powers.

A. D. 1890.

Acceptance of legacies.

Proviso.

Meetings of Board.

President of Board.

Quorum.

Majority vote in certain cases.

Board of Visitors.

Electing and removing officers.

Course of studies, by-laws, &c.

Board of Visitors.

Vacancies.

Seal.

have, receive and enjoy, to them, their successors, lands, tenements, and hereditaments of any kind or value, in fee or for life, or years, and personal property of any kind whatever, and all sums of money of any amount whatsoever which may be granted, devised or bequeathed to them for the purpose of building, erecting, endowing or supporting the said University, or either branch thereof : *Provided*, In receiving any such bequest no liabilities of any character shall be made binding or obligatory upon the State, except such as are accepted by the General Assembly.

SEC. 5. The Board of Trustees shall meet in Columbia at such time and place as the Governor shall direct ; and the Governor of the State shall be the President of the Board, and in his absence the Board shall select one of their number to act as President. The stated meetings of the Board shall be held at least twice a year ; but the President of the Board shall have power to assemble it at any time in extra meeting, and it shall be his duty to do so whenever requested by the Faculty of said college. Nine members of the Board shall constitute a quorum for the transaction of ordinary business, but not less than a majority vote of the whole Board shall be required for the election or removal of a President or Professor, for the creation or abolition of any Professorship, or for the expulsion of a student. They shall have the power to appoint for each or either of said colleges a Board of Visitors. The said Trustees, or a quorum of them, being regularly convened, shall be capable of doing or transacting all the business of said University, but more particularly of electing all the necessary officers of the said University and of the said colleges, of removing any of them for neglect or misconduct, of prescribing the course of studies to be pursued by the students, and in general of enacting all such rules, regulations and by-laws as shall appear to them necessary and not repugnant to the laws of the State and of the United States. They shall have the power to appoint for each or either of said colleges a Board of Visitors of such number as they may deem expedient, whenever they may think proper. No vacancy in the offices of the University, or the said colleges, shall be filled unless at the stated meetings of the Board of Trustees : *Provided*, That such vacancy may be filled at an occasional meeting until the next stated meeting, and no longer.

SEC. 6. The Trustees of the said University shall have a common seal for themselves and their successors, with liberty to

alter the same from time to time, and by their corporate name shall and may be able to plead and be impleaded, answer and be answered, defend and be defended, in all the Courts in this State. All and every estate and property, real or personal, tenements, hereditaments, leasehold estates, franchises, easements and credits of every description which have heretofore been of the South Carolina College, or of the University of South Carolina, shall vest in and shall become the property of the said University : *Provided*, That no sale of the property of the University shall be made without the consent of the General Assembly.

A. D. 1890.

Powers.

Property vested

Sale of property.

SEC. 7. All property, real or personal, rights of property and credits, belonging or appertaining to the Experimental Station now connected with the University of South Carolina shall vest in and become the absolute property of the Clemson Agricultural College of South Carolina ; and the Board of Trustees of the Clemson Agricultural College of South Carolina are authorized and empowered to sell all the real and personal property belonging to the Experimental Station connected with the University of South Carolina ; and the Trustees of the University of South Carolina are hereby required to convey to the Clemson Agricultural College of South Carolina the lands and appurtenances known as the Experimental Station connected with the University of South Carolina at Columbia, said conveyance to be made immediately after the approval of this Act.

Property of Experimental Station transferred to Clemson Agricultural College.

Conveyance directed.

SEC. 8. The said Board of Trustees of the University of South Carolina are also authorized to receive in behalf of the State, and invest to the best advantage in their discretion, all moneys, funds and securities which may from time to time be offered for the foundation of scholarships in said University. They are also invested with full power, in all investigations touching the affairs of the University, to compel witnesses to appear and testify, and papers to be produced and read, before the Board by subpoena, rule and attachment.

Investment of funds.

Power to procure evidence.

SEC. 9. That the said Board are also authorized and empowered, whenever they shall deem it expedient, but not until after the first day of July, A. D. 1891, to reorganize each of the said branches of the University and establish such schools in them and prescribe such courses and modes of instruction therein as they may think fit, and by electing competent professors and tutors for the several schools, governing themselves in the number of the schools and of the professors in each branch of said

Reorganization of schools.

May elect Professors and Tutors.

- A. D. 1890. University as they may deem proper: *Provided, however*, That, as far as the South Carolina College and the South Carolina Military Academy are concerned, they shall confine themselves to theoretical science, law, literature and the classics: *And provided, further*, That from and after the first day of July, A. D. 1891, the Mechanical Department of the said College be abolished, and the Board of Trustees shall turn over to the Board of Trustees of the Clemson Agricultural College, when demanded by them, all articles connected with such department, except such as may be necessary for the use of the said South Carolina College and such as may have been donated or presented to it.
- Branches to be taught. SEC. 10. The said Board shall elect for each branch of the University a President, and the President and professors of each branch shall constitute a Faculty thereof, and said Faculty shall have the power of enforcing the rules, regulations and by-laws adopted by the Trustees for the government of the students by rewarding or censuring them and by suspending such of them as shall be disobedient and refractory until a determination of a quorum of the Trustees can be had; but it shall be in the power of a majority of the whole Board of Trustees at a stated meeting only to expel a student of the University. The Faculty are required to report the whole of their proceedings against any student who shall be suspended, together with the cause of such suspension, to the Board of Trustees at their next stated meeting after such suspension, and the said Board are empowered upon a review of the case to restore any student to his standing in the University. The Board of Trustees shall take care that the President of the South Carolina College shall not be an atheist or infidel, and that one of the professors shall be charged with the duties of Chaplain to the college under such regulations and with such additional salary as may be fixed by the said Board. The said University shall have full power to confer degrees on students and on such other persons as may be qualified to receive the same. The Board of Trustees shall appoint a Librarian for such college, who shall perform such other duties and receive such salary or compensation as the Board may prescribe. The Trustees shall have authority to assign any professor to additional duties in any other school or schools without additional salary. The tuition fees shall be forty dollars per annum for each student, and shall go to the sustenance of the college and compensation for room rent, use of library, except that in the Law Department the Board of Trustees may fix
- Mechanical Department.
- President and Professors.
- Faculty.
- Expulsion of students.
- Report of suspensions.
- President not to be an atheist or infidel.
- Chaplain.
- Degrees.
- Librarian.
- Assignment of Professors.
- Tuition fees.
- Law Department.

such additional fees as the said Board may deem necessary to make it self-sustaining as soon as possible; and damage to property shall be regulated by the Board of Trustees, and all tuition fees in the Law Department shall be subject to the disposal of the Trustees for the payment of the salary of the Law Professor: *Provided, further*, That except in the Law Department, the Faculty of the said University may grant beneficiary scholarships, without payment of any fees, to such competent and deserving youths of this State as may be unable to pay the same, and the Trustees of the said University shall prescribe such rules and regulations as may be proper to confine the enjoyment of this privilege to those whose necessities require it.

A. D. 1890.

Beneficiary
scholarships.

SEC. 11. The Board of Trustees shall have the power to adopt such measures and to make such regulations as may in their discretion be necessary to carry out any of the provisions aforesaid in all cases where the same has not been specially provided for therein.

Matters not
herein provided
for.

SEC. 12. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing
clause.

Approved December 23d, A. D. 1890.

AN ACT TO CREATE A BOARD OF PHOSPHATE COMMISSIONERS, No. 447.
DEFINING ITS PURPOSES AND DUTIES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Board of Phosphate Commissioners be, and is hereby, created and established, which shall be constituted as follows: The Governor, the Attorney General, the Comptroller General, and two persons, citizens of the State; the last two to be appointed by the Governor, Attorney General and Comptroller General of this State, for the term of six years; the first appointment, however, to be made, one for four years, and one for six years. The Governor, Attorney General and Comptroller General shall not receive any compensation for their services on this Board, except actual traveling and other necessary expenses while engaged in attending to the duties as members of this Board when

Board created.

Constitution
of Board.

Compensation.

A. D. 1890.

the same shall be performed at any other place than the State Capital. The two Commissioners appointed as above shall receive as compensation for their services the same per diem and mileage as members of the General Assembly for the time they are actually engaged in performing the duties of their office.

Duties of Board.

SEC. 2. That the said Board shall be charged with the exclusive control and protection of the rights and interest of the State in the phosphate rocks and phosphatic deposits in the navigable streams and in the marshes thereof, except that the Comptroller General shall continue to receive the reports of rock mined and dug and the royalty paid into the State Treasury.

Powers, rights, &c., of Board.

SEC. 3. That all the powers, duties, rights and privileges vested in, and exercised by, the Department of Agriculture, as now established by law, so far as the same pertains and relates to the management and protection of the rights and interests of this State in the phosphate rocks and phosphatic deposits in the navigable streams of this State and in the marshes thereof, be, and the same are hereby, vested in, and are devolved upon, the Board of Phosphate Commissioners herein created and established.

Survey of State's phosphate territory.

SEC. 4. That the said Board are hereby empowered and directed, if they see proper, as soon as practicable, to begin a survey of the State's phosphate territory, and for this purpose they may employ such experts and other persons, and may obtain, by purchase or otherwise, such a dredge or other apparatus as shall be found necessary to prosecute this work in a thorough manner, and the sum of ten thousand dollars is hereby appropriated to defray the expenses thereof.

Appropriation of \$10,000.

Phosphate Inspector

SEC. 5. That the said Board shall appoint a Phosphate Inspector, whose salary shall be at the rate of fifteen hundred dollars per annum, payable monthly, and whose power and duties shall be prescribed by the said Board.

Royalty on phosphates.

SEC. 6. That the said Board shall also be empowered, if, upon full investigation and examination, they deem it advisable, to require all persons or corporations digging or mining phosphate rock or phosphatic deposit in the navigable streams of this State, and in the marshes thereof, to pay to the State a royalty not to exceed two dollars per ton for all or any phosphate rock so dug or mined, providing six months' notice shall be given before raising royalty above one dollar.

Notice of increase.

Chairman and quorum.

SEC. 7. That the Governor shall be Chairman of the Board, and three members of this Board shall constitute a quorum for

the transaction of any business pertaining to the said Board, and the Secretary shall be appointed from among the members of said Board.

A. D. 1890.

SEC. 8. That the said Board shall report annually to the General Assembly their actings and doings during the year, and to the time of the meeting of the same, with an itemized account of all their expenses for said year.

Annual re-
ports.

SEC. 9. That immediately after the approval of this Act it shall be the duty of the Department of Agriculture to transfer and deliver to the Board of Phosphate Commissioners herein created and established all books, papers, leases, records, or other things pertaining to the phosphate interests of this State.

Transfer by
Department of
Agriculture.

SEC. 10. That the said Board of Phosphate Commissioners are hereby authorized and directed after the first day of March, 1891, to take possession and control of the Coosaw River phosphate territory heretofore occupied by the Coosaw Mining Company, and to issue licenses to mine therein, and remove phosphate rock and phosphate deposits therefrom, in like manner as is now provided by law for the other navigable streams and waters of the State: *Provided*, That (such parties so licensed or authorized shall be deemed the agents of the State, and) each ton of phosphate rock or phosphatic deposits, the product of such mining operations, shall be deemed the property of the State until the said parties shall have paid thereon a royalty, to be fixed by said Commission, at not exceeding two dollars per ton on each ton of phosphate rock or phosphatic deposit dug, mined and removed, provided six months' notice shall be given before raising royalty above one dollar.

Coosaw River
phosphate terri-
tory.

Property of
the State.
Royalty.

Notice of in-
crease.

SEC. 11. Should any person whomsoever interfere with, obstruct, or molest, or attempt to interfere with, obstruct, or molest, the said Board of Phosphate Commissioners, or any one by them authorized or licensed hereunder, in the peaceable possession and occupation for mining purposes of any of the marshes and navigable streams and waters of the State, then, and in that case, the said Board of Phosphate Commissioners are hereby authorized, and in the name and on behalf of the State of South Carolina, to take such measures or proceedings as they may be advised are proper to enjoin and terminate any such molestation, interference or obstruction, and place the State, through its agents, the said Board of Phosphate Commissioners, or any one under them authorized, in absolute and practicable possession and occupation of the same.

Proceedings
to prevent in-
terference.

A. D. 1890.

Penalty for
interference.

SEC. 12. Any person or persons willfully interfering with, molesting, or obstructing, or attempting to interfere with, molest, or obstruct, the State or the said Board of Phosphate Commissioners, or any one by them authorized or licensed, in the peaceable possession and occupation of any of the said marshes and navigable streams and waters of the State, including the said Coosaw River phosphate territory, or who shall dig or mine, or attempt to dig or mine, any of the phosphate rock or phosphate deposits of this State, without a license so to do by said Board of Phosphate Commissioners, shall be punished for each offense by a fine of not less than one hundred dollars or more than five hundred dollars, or imprisonment for not less than one or more than twelve months, or both, at the discretion of the Court.

Or for mining
without license.Forfeiture of
boats, dredges,
&c.

SEC. 13. Should any person or persons, corporation or corporations, attempt to mine or remove phosphate rock and phosphatic deposits from any of the said marshes and navigable waters and streams, including the aforesaid Coosaw River phosphate territory, after the said first day of March, 1891, by and with any boats, vessels, marine dredges or other appliances for the same, without the leave or license of the said Board of Phosphate Commissioners thereto first had and obtained, all such boats, vessels, marine dredges, and other appliances, are hereby declared forfeited to and the property of the State of South Carolina, and it shall be the duty of the Attorney General, for and in behalf of the State, to institute proceedings in any Court of competent jurisdiction for the claim and delivery thereof in the ordinary form of action for claim and delivery, in which actions the title of the State shall be established by the proof of the commission by the person or persons, corporation or corporations owning the same, or their agents in possession of such boats, vessels, marine dredges or other appliances, of any such act of forfeiture: *Provided*, That in any such action the State shall not be called upon or required to give any bond or obligation as is required by parties plaintiff in action for claim and delivery.

Attorney General to institute
proceedings.State exempted
from giving
bond in claim
and delivery.Interests of
State to be pro-
tected.

SEC. 14. The said Board are further authorized and empowered to inquire into and protect the interests of the State in and to any phosphate deposits or mines, whether in the navigable waters of the State or in land marshes, or other territory owned or claimed by other parties, and in the proceeds of any such mines, and to take such action for or in behalf of the State, in regard thereto, as they may find necessary or deem proper.

SEC. 15. That so much of all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same is hereby, repealed.

A. D. 1890.
Repealing
clause.

Approved December 23d, A. D. 1890.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE No. 448.
DIRECTORS OF THE PENITENTIARY TO FURNISH TO THE
TRUSTEES OF THE CLEMSON AGRICULTURAL COLLEGE ONE
HUNDRED ADDITIONAL CONVICTS.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Directors of the South Carolina Penitentiary are hereby authorized and required, upon the order of the Board of Trustees of Clemson Agricultural College, signed by their President and Secretary, to furnish to the said Board of Trustees able-bodied convicts not to exceed one hundred in number at any one time in addition to those now furnished. In selecting such convicts care shall be taken to send such as have most skill in brick making, carpentering and blacksmithing. The said convicts to be furnished upon the same terms and conditions and used for like purposes as those furnished under an Act entitled "An Act to provide for the building and maintenance of the Clemson Agricultural College of South Carolina."

When to be
furnished.

To be skilled
workmen.

Terms and
conditions.
Ante 299.

SEC. 2. This Act shall take effect immediately after its approval.

Approved December 23d, A. D. 1890.

AN ACT TO REGULATE THE PRACTICE IN THE TRIAL OF ISSUES No. 449.
OF FACT IN EQUITY CAUSES IN THE COURTS OF COMMON
PLEAS OF THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly and by the authority of the same, That

A. D. 1890.
Framing of issues. in all equity causes now pending or hereafter instituted in the Courts of Common Pleas of this State, the presiding Judge may, in his discretion, cause to be framed an issue or issues of fact, to be tried by a jury.

Trial of issues regulated. SEC. 2. Such issues shall be tried at the same term of Court at which they are ordered, and if necessary a day shall be set for the trial of the same: *Provided*, That a continuance may be ordered by the Court in proper cases.

When to be ordered. SEC. 3. Upon the first day of the term, immediately after the call of Calendar Three, the presiding Judge shall call for cases in which such issues are desired, and if any are presented in which such issues are, in his judgment, proper, he shall at once call the same to be framed and placed upon the proper Calendar for trial.

Force of a verdict. SEC. 4. The findings of fact upon such issues by the jury shall be conclusive of the same: *Provided*, That the presiding Judge may grant new trials therein, according to the practice in other jury trials: *And provided, further*, That exceptions to the rulings of the presiding Judge upon such trials may be taken by either party, and such rulings may be reviewed by the Supreme Court upon appeal from the final judgment.

Trial and decision at same term. SEC. 5. At some time during the term the presiding Judge shall hear the cause out of which such issues are ordered, and shall, some time during said term or thereafter, file his decision therein as in other equity causes, from which decision there shall be the same right of appeal now existing in like causes.

Appeal.
Law of appeals. SEC. 6. All exceptions and appeals taken under this Act shall be taken within the time and according to the practice now prescribed by law for appeals to the Supreme Court.

Approved December 24th, A. D. 1890.

No. 450. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE ADJUTANT AND INSPECTOR GENERAL TO DELIVER TO THE WASHINGTON LIGHT INFANTRY OF CHARLESTON, SOUTH CAROLINA, ONE BRASS CANNON.

Whereas, The Washington Light Infantry of Charleston, South Carolina, is now about to erect a monument in commem-

oration of those members of the corps who lost their lives in defense of this State: *And whereas*, It is deemed proper that the State should take part in carrying out the same; therefore,

A. D. 1890.

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Adjutant and Inspector General be, and he is hereby, authorized and directed to turn over and deliver to the Washington Light Infantry of Charleston, South Carolina, one brass cannon, known as a Napoleon, which was formerly in use by the Marion Artillery during the war, said cannon to be used by said organization in constructing the monument proposed.

Brass cannon
to be turned
over.For the monu-
ment.

Approved December 24th, A. D. 1890.

AN ACT TO REGULATE THE APPOINTMENT AND TERM OF No. 451.
OFFICE AND DEFINE THE DUTIES OF TRIAL JUSTICES IN
THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the Governor shall have authority, by and with the advice and consent of the Senate, to appoint Trial Justices in the several Counties of this State, whose terms of office shall be commensurate with the term of office of the Governor by whom such Trial Justices shall have been appointed and until their successors are appointed.

Appointment.

Term of office.

SEC. 2. That said Trial Justices shall be subject to removal by the Governor in the same manner and upon the same grounds as now provided in cases of County Auditors and Treasurers. The Governor shall have authority to fill any vacancy caused by death, removal, or otherwise, of any Trial Justice or Justices: *Provided*, That the person so appointed to fill such vacancy shall hold office only for the unexpired term of such Trial Justice so removed.

Removal from
office.

Vacancies.

SEC. 3. That it shall be the duty of the Secretary of State to issue commissions to such Trial Justices without fees or charges.

No fees for
commission.

A. D. 1890.

Not to appear
as attorney in
cases once be-
fore him.

SEC. 4. That it shall be unlawful for any Trial Justice to appear as attorney at law in any of the Courts of this State in any action which may have been before him in his official capacity as such Trial Justice.

Repealing
clause.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

No. 452. A JOINT RESOLUTION TO APPOINT A SPECIAL COMMISSION, TO CONSIST OF THE GOVERNOR AND SUPERINTENDENT OF EDUCATION OF THIS STATE, TO CONFER AND CORRESPOND WITH THE GOVERNORS AND SUPERINTENDENTS OF EDUCATION OF OTHER SOUTHERN STATES, AS TO THE ADOPTION OF UNIFORM TEXT BOOKS TO BE USED IN THE FREE SCHOOLS OF THIS STATE.

Preamble.

Whereas, it is important that true and authentic histories and uniform text books should be adopted to be used in the free schools of this State ; and *whereas*, the cost of such text books would be greatly lessened if adopted for the use in other Southern States :

Commission
appointed.
Their duty.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor and Superintendent of Education of this State be, and are hereby, appointed a Special Commission to confer and correspond with the Governors and Superintendents of Education of other Southern States, in reference to adopting an uniform series of histories and other text books to be used in the free schools of this State, and that they report thereon at the next meeting of the General Assembly.

Approved December 24th, A. D. 1890.

A JOINT RESOLUTION AUTHORIZING AND DIRECTING THE CHAIRMAN OF THE BOARD OF VISITORS OF THE SOUTH CAROLINA MILITARY ACADEMY TO APPLY TO THE WAR DEPARTMENT OF THE GENERAL GOVERNMENT FOR ORDNANCE AND ORDNANCE STORES FOR THE USE OF SAID ACADEMY.

A. D. 1890.

No. 453.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Chairman of the Board of Visitors of the South Carolina Military Academy be, and he is hereby, authorized and instructed to make application to the War Department of the General Government for the issue of ordnance and ordnance stores, under Section 1225 of the Revised Statutes of the United States, for the use of the said Academy; and that the sureties upon the bond required in cases for the care and safe keeping thereof and for the return of the same when required will be indemnified in the premises by the State of South Carolina.

Application to
be made.Indemnity to
sureties.

Approved December 24th, A. D. 1890.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF COUNTY No. 454.
BOARDS OF PHYSICIANS TO EXAMINE DIPLOMAS OF PHYSICIANS AND SURGEONS IN THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all physicians who shall engage in the practice of medicine or surgery in this State, before doing so shall submit their diplomas to a Board consisting of three reputable physicians in each County in this State; said Board shall be appointed by the Governor, upon the recommendation of medical societies of the said Counties, where such societies exist, and in those Counties where no medical society does exist, then upon the recommendation of the Senator and members of the House of Representatives from such Counties.

Diplomas to be
submitted to
County Board.Appointment
of Board.

A. D. 1890.

Examination
and approval of
diplomas.Registration
by Clerk.Repealing
clause.Exceptions as
to physicians
now registered.

SEC. 2. That said Board shall examine said diplomas when submitted, and if the holder is a *bona fide* holder of the same, and if the college issuing said diploma is a reputable medical college, and also submits a certificate of good moral character, said Board shall certify to the fact, and upon the certificate so given the respective diplomas shall be registered by the Clerk of the Court of the County in which the physician so applying resides, in a book to be kept for the purpose by said Clerks.

SEC. 3. That all Acts or parts of Acts, so far as they conflict with the provisions of this Act, are hereby repealed.

SEC. 4. That nothing contained in this Act shall in any wise affect or apply to physicians and surgeons who have already registered in accordance with the laws now of force.

Approved December 24th, A. D. 1890.

No. 455. AN ACT TO AMEND SUBDIVISION 1 OF SECTION 1 OF AN ACT ENTITLED "AN ACT TO FIX THE TIME OF THE SITTING OF THE CIRCUIT COURTS IN THE THIRD JUDICIAL CIRCUIT," APPROVED DECEMBER 23D, A. D. 1889.

A. A. 1889, §1,
11, ante 357,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Subdivision 1 of Section 1 of an Act entitled "An Act to fix the time of the sitting of the Circuit Courts in the Third Judicial Circuit," approved December 23d, A. D. 1889, be, and the same is hereby, amended by striking out the words "first Monday in February" between the word "the" and the word "and" on the fifth line of said Subdivision and inserting in lieu thereof the words "last Monday in January." So that said Subdivision 1 when so amended shall read as follows:

Terms of
Court at Flor-
ence.

1. The Court of General Sessions at Florence for the County of Florence on the last Monday in January, the fourth Monday in May and the third Monday in September, and the Court of Common Pleas at the same place on the Wednesday following the last Monday in January and the third Monday in Septem-

ber, the first term of said Circuit Court to be held on the last A. D. 1890.
Monday in January, 1890.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT No. 456.
THE CATCHING OF TERRAPINS BETWEEN THE FIRST DAY
OF APRIL AND THE THIRTIETH DAY OF JUNE IN ANY YEAR
WITHIN CERTAIN COUNTIES," APPROVED DECEMBER 26TH,
A. D. 1885. .

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That A. A. 1885,
19 Stat., 832,
amended.
an Act entitled "An Act to prohibit the catching of terrapins
between the first day of April and the thirtieth day of June in
any year within certain Counties," approved December 26th,
A. D. 1885, be, and the same is hereby, amended by striking out
the title of said Act and substituting therefor the following, to
known as the title: "An Act to protect terrapins within Title changed.
certain Counties."

SEC. 2. That Section 1 of said Act be amended so as to read, Section 1
amended.
after the enacting clause, as follows:

That it shall be unlawful for any person to catch, trap, or Prohibited
seasons and
places.
have in his possession, terrapins, between the first day of April
and the fifteenth day of July in any year, within the limits of
Georgetown, Charleston, Beaufort, Colleton and Berkeley
Counties.

SEC. 3. That it shall be unlawful for any person to retain or Taking of small
female terrapins
prohibited.
remove any female terrapin which shall measure less than five
and one-half inches on the bottom shell, but all such terrapins,
if caught or trapped, shall be immediately returned to the water.

SEC. 4. That any violation of the provisions of this Act shall Penalties.
be taken and deemed as a misdemeanor, punishable by fine of
not less than fifty dollars, or imprisonment of not less than six
months, or both, in the discretion of the Court: *Provided,*
however, That the provisions of this Act shall not render it un- Proviso as to
terrapins in
fields.
lawful for the owner or owners to catch, trap, or by any means

A. D. 1890. whatever to have removed from his, her or their cultivated fields, terrapins, between the dates herein in the Counties mentioned.

Repealing clause. SEC. 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved December 20th, A. D. 1890.

No. 457. A JOINT RESOLUTION TO PAY TO MRS. ANN P. BONHAM, WIDOW OF GOV. M. L. BONHAM, DECEASED, THE BALANCE OF SALARY DUE THE SAID M. L. BONHAM, DECEASED, AS RAILROAD COMMISSIONER.

Preamble. *Whereas* the late Hon. M. L. Bonham, Chairman of the State Board of Railroad Commissioners, departed this life on the 27th day of August, 1890, and no one has been appointed his successor as a Railroad Commissioner,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized and directed to draw his warrant upon the State Treasurer in favor of Ann P. Bonham, the widow of the late M. L. Bonham, for such sum of money as would have been due the said M. L. Bonham as salary as Commissioner as aforesaid from the 27th day of August, 1890, to the time that his successor as Railroad Commissioner qualifies, and that the State Treasurer do pay said warrant out of the assessments collected from the railroad companies in this State to meet the expenses of the State Board of Railroad Commissioners, not otherwise required to meet the expenses of said Board during said period.

Comptroller General to draw warrant in favor of Mrs. Bonham

For what period

State Treasurer to pay.

Approved December 23rd, A. D. 1890.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE
 AGENT OF THE SINKING FUND COMMISSION TO SURRENDER AND DELIVER CERTIFICATES NOS. 246 AND 251 FOR
 2,400 SHARES OF THE STOCK OF THE NORTHEASTERN RAILROAD COMPANY TO THE SAID COMPANY TO BE CANCELED. (1)

A. D. 1890.

No. 458.

Whereas it appears from the Report of the Board of the Sinking Fund Commissioners of the State of South Carolina for the fiscal year ending October 31, 1888, that said Board of Sinking Fund Commissioners has among the assets of the State certificates Nos. 246 and 251 for 2,400 shares of the capital stock of the Northeastern Railroad Company, which said stock was transferred to the Cheraw and Salisbury Railroad Company, but the certificates were from some omission or accident not surrendered for cancellation, and that the State of South Carolina has no interest in said stock, and the same was so declared after mature deliberation by the last Legislature, in Joint Resolution No. 177, which said Resolution was ineffectual because of the accidental omission of its title:

Preamble.

SECTION 1. *Therefore, be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Agent of the Sinking Fund Commission be, and he is hereby, authorized and directed to surrender and deliver certificates No. 246 and 251 for 2,400 shares of the stock of the Northeastern Railroad Company to the said company to be canceled.

Surrender directed.

Approved December 23d, A. D. 1890.

(1) This Joint Resolution was passed in duplicate, but as the two are word for word the same and were both approved on the same day, it is not necessary to make a duplicate publication.—EDITOR.

A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF
 THE TAXES OF THE SOUTH CAROLINA RAILWAY COMPANY
 FOR THE FISCAL YEAR BEGINNING NOVEMBER 1ST, 1888,
 UPON CERTAIN CONDITIONS THEREIN MENTIONED.

No. 459.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That
 County Treas- the County Treasurers of the Counties wherein the same are
 urers to receive respectively due be, and they are hereby, authorized and
 taxes without directed to receive from the Receiver of the South Carolina
 penalty. Railway Company all taxes due by said company to the State
 and Counties respectively for the fiscal year beginning Novem-
 Time for pay- ber 1st, 1888, without penalties: *Provided*, The same are paid
 ment. on or before the 15th day of January, A. D. 1891: *And pro-
 vided*, That in lieu of such penalties, said Receiver do pay
 Interest to be interest on the sums respectively due, at the rate of (7) seven
 paid. per centum per annum, from the date when tender of coupons
 for said taxes was made to the date of the payment thereof in
 money as hereinabove provided.

Approved December 24th, A. D. 1890.

No. 460. AN ACT ACCEPTING THE BENEFITS OF AN ACT TO APPLY A
 PORTION OF THE PROCEEDS OF THE PUBLIC LANDS TO THE
 MORE COMPLETE ENDOWMENT AND SUPPORT OF THE COL-
 LEGES FOR THE BENEFIT OF AGRICULTURE AND THE ME-
 CHANIC ARTS, NOW ESTABLISHED UNDER THE PROVISIONS
 OF ACT OF CONGRESS, APPROVED JULY SECOND, EIGHTEEN
 HUNDRED AND SIXTY-TWO.

Preamble. *Whereas* by an Act of Congress, approved August thirtieth,
 eighteen hundred and ninety, entitled "An Act to apply a por-
 tion of the proceeds of the public lands to the more complete
 endowment and support of the colleges for the benefit of agri-
 culture and the mechanic arts established under the provisions
 of an Act of Congress, approved July second, eighteen hundred
 sixty-two," it is provided that the proceeds of the sale of public
 lands shall be applied to the purposes specified in said Acts upon
 the conditions therein mentioned; therefore,

Acts of Con-
 gress of 1889-90,
 p. 417.

State's accept-
 ance declared.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 the State of South Carolina does hereby express its acceptance
 of the benefits of the said Act of Congress, approved August the
 thirtieth, eighteen hundred and ninety, entitled "An Act to

apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress approved July second, eighteen hundred and sixty-two," and does hereby assent to the provisions in said Act contained, and to all of its conditions and provisions, and binds itself to the faithful performance of all the stipulations and provisions in said Act contained.

A. D. 1890.

Obligation by the State.

SEC. 2. That the sum received from the United States Government under the provisions of the said Act shall be equally divided between the Claflin Agricultural College (colored) and the Clemson Agricultural College (white), both of this State.

Sum to be divided between Clemson and Claflin Colleges.

SEC. 3. Upon the passage of this Act, the Governor of this State is authorized to take such measures as he may deem necessary to secure the early realization of the benefits of the Act above mentioned.

Governor to adopt necessary measures.

Approved December 24th, A. D. 1890.

AN ACT TO ABOLISH THE DEPARTMENT OF AGRICULTURE AND THE OFFICE OF COMMISSIONER OF AGRICULTURE, AND TO DEVOLVE ALL THEIR POWERS AND DUTIES ON THE BOARD OF TRUSTEES OF "THE CLEMSON AGRICULTURAL COLLEGE OF SOUTH CAROLINA," EXCEPT THE CONTROL OF PHOSPHATE INTERESTS OF THE STATE. No. 461.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Department of Agriculture of this State as now constituted, and provided for by law, be, and the same is hereby, abolished, and also the office of Commissioner of Agriculture for this State.

Department of Agriculture abolished.

Office of Commissioner abolished.

SEC. 2. That all the powers, duties, rights and privileges now vested in and exercised by the Commissioner of Agriculture and the Department of Agriculture of this State be, and the same are hereby, vested in and devolved upon the Board of Trustees of the Clemson Agricultural College of South Carolina, except that said Board shall not have any rights, powers or privileges in reference to or in connection with the management and con-

Powers and duties devolved on Trustees of Clemson College

Except as to phosphates.

A. D. 1890.

And as to
Trustees in
University.

Meeting of
the Trustees.

Remuneration.

Supervision of
laws regulating
sales.

Inspectors.

Compensation.

Transfer of
papers and
property per-
taining to phos-
phate interests.

Privilege tax.

Appropriation.

Repealing
clause.

trol of the rights and interests of this State in the phosphate rock or phosphatic deposits in the navigable streams and in the marshes thereof: *Provided*, That nothing herein contained shall constitute the Trustees of the Clemson Agricultural College Trustees of the University of South Carolina.

SEC. 3. That for the purpose of carrying out the duties hereby devolved upon them, the said Board of Trustees of "The Clemson Agricultural College of South Carolina" shall meet at the call of the Governor, and at such time and place as he may designate. They shall receive no compensation, but shall be allowed the sum of three dollars per diem and three cents per mile for every mile actually traveled while engaged in the duties of the Board imposed upon them by this Act.

SEC. 4. That said Board of Trustees of "The Clemson Agricultural College of South Carolina," or a committee thereof appointed by them, shall supervise and enforce the execution of all laws respecting the sale of commercial fertilizers within this State, or any other duties hereby devolved upon them. The said Board shall also appoint a special inspector or inspectors of fertilizers, and such other persons as they may deem necessary for the carrying out of the duties of the Department of Agriculture hereby devolved upon them, and fix their compensation.

SEC. 5. That immediately after the approval of this Act, it shall be the duty of the Department of Agriculture to transfer and deliver to the Board of Trustees of "The Clemson Agricultural College" of South Carolina all books, papers, leases, records, and other papers or property pertaining to said Department, except the books, papers, leases, records and other things pertaining to the phosphate interest of the State.

SEC. 6. That all the privilege tax on fertilizers now required to be paid to the Commissioner of Agriculture shall in the future be paid to the Treasurer of the State, subject to the order of the Board of Trustees of the Clemson Agricultural College of South Carolina; and so much of the money so received as shall be necessary to defray the expenses of the Board in performing the duties now, by this Act, devolved upon them shall be thus used, and the balance shall go to the Clemson Agricultural College of South Carolina for its erection and maintenance.

SEC. 7. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

AN ACT TO PROVIDE FOR THE SALE OF THE LOT AND BUILDING KNOWN AS AGRICULTURAL HALL, THE FISH POND LOT, AND THE AGRICULTURAL EXPERIMENTAL STATIONS, WITH THEIR PERSONAL PROPERTY, AT COLUMBIA AND IN DARLINGTON AND SPARTANBURG COUNTIES, AND TO APPROPRIATE THE PROCEEDS THEREOF.

A. D. 1890.

No. 462.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Commissioners of Sinking Fund be, and they are hereby, authorized, empowered and required, at public sale, at such time and on such terms as to them may seem to best subserve the interests involved, to sell and convey all the right, title and interest of the State of South Carolina (the same being a fee simple title) of, in and to the following property, to wit: That certain building in the City of Columbia, with the lot on which it stands, known as Agricultural Hall; that four-acre lot in said city known as the Fish Pond tract or lot; that tract of land known as the Experimental Farm at Columbia, with the personal property belonging thereto; that certain farm and tract of land, containing two hundred and twenty-seven 21-100 acres, in the County of Darlington, known as the South Carolina Agricultural Farm and Station in Darlington County, together with the personal property thereon and appertaining thereto; and that certain tract of land in Spartanburg County, near the City of Spartanburg, containing 14 4-100 acres, more or less, with the buildings and with the personal property thereunto belonging, known as that part of the South Carolina Agricultural Farm and Station situate in Spartanburg County, to which the State has an absolute title: *Provided*, No sale shall be made until the property has been advertised for thirty days in at least one paper in the Counties in which the different pieces of property are situated, and then offered at public outcry.

Sinking Fund
to sell.Agricultural
Hall.
Fish pond lot.
Experimental
Farms at Co-
lumbia.

In Darlington.

Near Spartan-
burg.

Notices of sale.

SEC. 2. That the proceeds of such sale or sales, whether in money or securities, shall be turned over to the State Treasurer, to be by him held subject to the draft or order, as the case may be, of the Trustees of the Clemson College, for the use of the said Clemson College, to which college the said proceeds are hereby appropriated: *Provided, however*, That the proceeds of the sales of the South Carolina Agricultural Farm and Station, and of the personal property in Darlington County, shall be disposed of as follows, to wit: The sum of twenty-eight hundred

Proceeds to be
turned over to
State Treasurer.For use of
Clemson Col-
lege.Appropriation
of sales of the
Darlington
farm.

A. D. 1890.



and sixty 25-100 dollars, with interest from January 1st, 1890, shall be paid to the County Treasurer of Darlington County for ordinary County purposes; the sum of seventeen hundred and twelve 13-100 dollars, with interest from January 1st, 1890, shall be paid to the County Treasurer of Florence County for ordinary County purposes; the foregoing sums to be the first paid, and then the balance of said proceeds to be deposited in the hands of the Treasurer of Darlington County and subject to the drafts of the County Commissioners of Darlington, to repay and to refund to those individuals who paid to the State the sum of \$5,000 to secure the location of said Station in Darlington County the balance, with interest, if any, of their subscriptions thereto respectively not heretofore repaid them by taxation, the proof of such balance of subscription to be made before the County Commissioners of Darlington County by each claimant satisfactory to said Board before the issue of the draft on the Treasurer therefor; any remainder of said proceeds of sale to be paid to the State Treasurer, to be disposed of as the other funds arising from the other sales provided for in this Act.

Surplus to State
Treasurer.

Securities to
be made pay-
able to State
Treasurer.

Powers of
State Treasurer.

Securities
taken on sale of
Darlington
farm.

SEC. 3. That in case any of said sales be in whole or in part on credit, and bonds, notes of purchasers and mortgages of the premises be taken as securities, such securities (except for the Darlington County Farm and Station and property) shall be made payable to the Treasurer of the State of South Carolina, and his successors in office, and his and their assigns, and the State Treasurer may hold, sue in his own name and collect same, or assign same to said Trustees of Clemson College, at the option of said Trustees; and if the Darlington Farm and Station and its personal property be sold wholly or partly on time, a sufficient amount of the securities taken shall be made payable to the County Treasurers of Darlington and Florence Counties, respectively, to reimburse those Counties as hereinbefore stated, and to reimburse those individuals mentioned in Section 2, for the balance and interest of their subscriptions not as yet repaid them by taxation, any surplus to be made payable to the State Treasurer as in the other sales and securities.

Approved December 24th, A. D. 1890.

AN ACT TO PUNISH FRAUDS OR MISREPRESENTATIONS IN THE
MANUFACTURE, ANALYSIS OR SALE OF FERTILIZERS AND
COMMERCIAL MANURES IN THIS STATE.

A. D. 1890.

No. 463.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter any person or corporation in this State who shall be guilty of short weight or fraud in the manufacture, preparation, analysis or sale of guanos, fertilizers or commercial manures in this State, or who shall make any willful misrepresentation as to the manufacture, preparation, analysis or quality of such guanos, fertilizers or commercial manures, or who shall willfully fail to attach the tags, labels or stamps as now required by the General Statutes of this State, or who shall willfully violate any of the provisions of Sections 595 and 596 of the General Statutes of this State relating to the privilege tax on fertilizers and the labeling of fertilizers and commercial manures, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding one thousand dollars, or imprisoned for a term not exceeding one year, or by both such fine and imprisonment, in the discretion of the Court.

Offenses defined.

Penalties.

SEC. 2. That this Act shall go into effect from the date of its approval, and all Acts or parts of Acts contrary to or inconsistent with the provisions of this Act be, and the same are hereby, repealed.

When to take effect.

Repealing clause.

Approved December 24th, A. D. 1890.

AN ACT TO PROHIBIT ANY PERSON FROM TRANSPORTING
HORSES, MULES OR ASSES INTO THIS STATE INFECTED WITH
GLANDERS.

No. 464.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, it shall be unlawful for any person or persons to transport, within the borders of this State, any horse, mule or ass infected with glanders.

Importation forbidden.

A. D. 1890. SEC. 2. That any person or persons violating the provisions of Section 1 of this Act, unless he can produce a clean bill of health from some veterinary surgeon that said stock was not infected with said disease when transported within the borders of this State, shall be liable for all damages attending the introduction of said disease, to be recovered by any person so damaged, and shall also be deemed guilty of a misdemeanor, and, on conviction, shall be fined in a sum not exceeding five hundred dollars, or be imprisoned not exceeding twelve months.

Without a
clean bill of
health.
Damages and
penalties.

Approved December 24th, A. D. 1890.

No. 465. AN ACT RELATING TO THE RENUNCIATION OF DOWER BY MARRIED MINORS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all renunciations of dower taken from a married minor shall be held to have, and are hereby declared to have, the same legal force and effect as renunciations of dower taken from married women of lawful age.

Renunciations
by married
minors declared
valid.

SEC. 2. That all Acts or parts of Acts inconsistent herewith be, and the same are hereby, repealed.

Repealing
clause.

Approved December 24th, A. D. 1890.

No. 466. AN ACT TO AUTHORIZE THE COMPTROLLER GENERAL TO DRAW HIS WARRANT, AND THE STATE TREASURER TO APPLY THE SAME TO THE PAYMENT OF PUBLIC PRINTING OF THE GENERAL ASSEMBLY, AND TO PROVIDE FOR FUTURE PAYMENTS WITHOUT EXTRA LEGISLATION.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

the Comptroller General be, and he is hereby, authorized and directed to draw his warrant, and the State Treasurer to pay the same out of any moneys in the State Treasury not otherwise appropriated, for the Public Printing upon the production of proper vouchers, which shall consist of copies of the temporary printing executed, and signatures of the permanent printing as the work progresses.

A. D. 1890.

Public printing to be paid for.

Vouchers.

SEC. 2. All Acts and parts of Acts, Joint Resolutions or parts of Joint Resolutions, in conflict with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE REDEMPTION OF THAT PART OF THE STATE DEBT KNOWN AS THE BROWN CONSOL BONDS AND STOCKS BY THE ISSUE OF OTHER BONDS AND STOCKS," APPROVED DECEMBER 24TH, A. D. 1889. No. 467.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the redemption of that part of the State debt known as the Brown Consol Bonds and Stocks by the issue of other bonds and stocks," approved December 24th, A. D. 1889, be amended by striking out the word "fifty" from the twenty-eighth line of the second Section of said Act and inserting in lieu thereof the words "forty-five," and further amend by striking out the figures "1890" from the twenty-ninth line of the said Section and inserting in lieu thereof the figures "1891;" so that the said Section, when so amended, shall read as follows:

A. A. 1889, ante 850, amended.

SECTION 2. That for the redemption of the bonds and certificates of stock the surrender of which is provided for in Section 1 of this Act, the State Treasurer shall cause to be prepared a sufficiency of blanks of coupon bonds and certificates of stock of uniform design and appearance, to be colored brown, as will provide for a total issue of an amount (face value) in the aggregate of such bonds and certificates of stock not to exceed the

Section 2 as amended.

Blank bonds and stocks to be prepared. Colored brown.

Limit.

- A. D. 1890.** aggregate amount of consol stocks and bonds that have been or may be issued under the Acts authorizing same, as stated in
- Denomination.** Section 1, said bonds to be of the denomination of five hundred dollars and one thousand dollars, and said certificates of stock to have their respective face values left blank, so that the same may be filled as may be most convenient for the purposes of the exchange hereinbefore provided for. That said bonds and certificates of stock shall bear interest from the date of their issue until the date of their maturity at the rate of four (4) per centum per annum, payable semi-annually from and after said date, on the first day of July and the first day of January in each year, at the State Treasury, in the City of Columbia, and at such other places as shall be designated by the Governor, Comptroller General and State Treasurer, or as shall be provided for by law, which place shall be expressed on the face of the same, and said bonds shall have coupons attached thereto for the interest which shall become due on said bonds as hereinabove stated, and the interest on said certificates of stock shall be paid semi-annually, in the manner now provided by law. That said bonds and certificates of stock shall become payable at the end of the term of forty-five years from the first day of July, A. D. 1891, which fact shall be expressed on their face. That said coupon bonds and certificates of stock shall be signed by the Governor of the State, countersigned by the Comptroller General, and have the great seal of the State affixed thereto by the Secretary of State, which signing and sealing shall be made and done at the time of their issue and not before; the coupons shall bear the signature of the State Treasurer, his name being lithographed or engraved thereon. That the said coupon bonds and certificates of stock shall at all times be exchangeable, one for the other, upon application to the State Treasurer.
- To bear 4 per cent. interest, payable semi-annually.**
- Where interest payable.**
- Bonds and stocks to mature July 1st, 1936.**
- How executed.** SEC. 2. That the said Act be further amended by adding thereto the following Section, to be designated as Section 13 of said Act, viz.:
- Bonds and stocks to be interchangeable.**
- Additional Section.** That so much of the capital stock of any bank, banking association, or other moneyed corporation located within this State, as is or shall be invested in the bonds and stock, or either of them, the issue of which is provided for in the said Act, shall be exempt from all State, County, township, municipal, or other taxation.
- Capital stock of banks invested in bonds exempt from taxation.**

SEC. 3. That for the purpose of defraying the expenses to be incurred in carrying out the provisions of the said Act the sum of ten thousand dollars, if so much be necessary, appropriated in Section 7 of said Act, be, and the same is hereby, reappropriated, to be drawn on the warrant of the Comptroller General, to be approved by the Governor.

A. D. 1890.
 Reappropriation to pay expenses.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND SECTION 44, CHAPTER IV, OF THE GENERAL STATUTES, RELATING TO THE DISTRIBUTION OF PUBLIC FUNDS. No. 468.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 44, Chapter IV, of the General Statutes be amended, so that when amended it shall read as follows :

Section 44 amended.

SECTION 44. That all persons having the distribution of public money shall quarterly, to wit, on last days of October, January, and April, and July, in each and every year, render to the Comptroller General an account setting forth the funds committed to them, respectively, and the disbursement of them.

Quarterly reports to be made

Approved December 24th, A. D. 1890.

AN ACT TO AMEND PART I, TITLE II, CHAPTER X, SECTION 163, OF THE GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO THE LOCATION AND NAMES OF VOTING PRECINCTS AND ACTS AMENDATORY THEREOF, SO FAR AS THE SAME RELATE TO THE VOTING PRECINCTS IN THE CITY OF CHARLESTON, TO REARRANGE THE SAID PRECINCTS FOR ALL ELECTIONS, WHETHER STATE, FEDERAL OR MUNICIPAL, AND TO PROVIDE FOR A REVISION OF THE REGISTRATION OF ELECTORS IN ACCORDANCE THEREWITH. No. 469.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

- A. D. 1890.** in General Assembly, and by the authority of the same, That the registration and voting precincts in the County of Charleston within the limits of the City of Charleston shall hereafter conform to the Wards in which the City of Charleston is now by law divided, and registration and voting precincts are hereby established therein, as follows: The first precinct of Ward One shall embrace all that portion of said Ward South of Broad street, East of Church street to Water street, South of Water street to Meeting street, East of Meeting street to South Bay street. The poll shall be held at or near the corner of Church and Water streets. The second precinct of Ward One shall embrace all that portion of said Ward South of Broad street, East of King street, West of Church street to Water street to Meeting street, West of Meeting street to South Bay street. The poll shall be held at or near the corner of Meeting and Tradd streets. The first precinct of Ward Two shall embrace all that portion of said Ward South of Broad street, West of King street to South Bay street, including South side of said street to Ashley River, East of Legare street to Tradd street, North of Tradd to Logan street, East of Logan to Broad street. The poll shall be held at or near the corner of King and Tradd streets. The second precinct of Ward Two shall embrace all that portion of said Ward South of Broad street, West of Logan street to Tradd street, South of Tradd to Legare street, West of Legare street to Ashley River. The poll shall be held at or near the corner of New and Broad streets. The first precinct of Ward Three shall embrace all that portion of said Ward North of Broad street, South of Hasel street, East of Church street and Maiden Lane. The poll shall be held at or near the corner of State and Cumberland streets. The second precinct of Ward Three shall embrace all that portion of said Ward North of Broad street, South of Hasel street, West of Church street and Maiden Lane and East of King street. The poll shall be held at Market Hall. The first precinct of Ward Four shall embrace all that portion of said Ward North of Broad street, South of Wentworth street, West of King street and East of Mazyck and Coming streets. The poll shall be held at or near the corner of Archdale and Beaufain streets. The second precinct of Ward Four shall embrace all that portion of said Ward North of Broad street, South of Wentworth street, West of Mazyck and Coming streets. The poll shall be held at or near the corner of Smith and Beaufain streets. The first precinct of Ward Five shall embrace all that portion
- Precincts to conform to Wards.**
- First precinct of Ward 1.**
- Polling place.**
- Second precinct of Ward 1.**
- Polling place.**
- First precinct of Ward 2.**
- Polling place.**
- Second precinct of Ward 2.**
- Polling place.**
- First precinct of Ward 3.**
- Polling place.**
- Second precinct of Ward 3.**
- Polling place.**
- First precinct of Ward 4.**
- Polling place.**
- Second precinct of Ward 4.**
- Polling place.**
- First precinct of Ward 5.**

of said Ward North of Hazel street, South of Calhoun street and East of Anson street. The poll shall be held at or near the corner of Laurens and Middle street. The second precinct of Ward Five shall embrace all that portion of said Ward North of Hazel street, South of Calhoun street, West of Anson and East of King street. The poll shall be held at or near the corner Meeting and Society streets. The first precinct of Ward Six shall embrace all that portion of said Ward North of Wentworth street, South of Calhoun street, West of King street and East of Pitt street. The poll shall be held at or near the corner of George and College streets. The second precinct of Ward Six shall embrace all that portion of said Ward North of Wentworth street, South of Calhoun street and West of Pitt streets. The poll shall be held at or near the corner of Bull and Rutledge street. The first precinct of Ward Seven shall embrace all that portion of said Ward North of Calhoun street, South of Mary street and East of Elizabeth street. The poll shall be held at or near the corner of Alexander and Charlotte streets. The second precinct of Ward Seven shall embrace all that portion of said Ward North of Calhoun street, South of Mary, West of Elizabeth street and East of King street. The poll shall be held at or near the corner of Hutson and Meeting streets. The first precinct of Ward Eight shall embrace all that portion of said Ward North of Calhoun street, South of Radcliffe street, West of King street and East of Pitt and Thomas streets. The poll shall be held at or near the corner of Vanderhorst and Coming streets. The second precinct of Ward Eight shall embrace all that portion of said Ward North of Calhoun street, South of Radcliffe and Bee streets and West of Pitt and Thomas streets. The poll shall be held at or near the corner of Rutledge and Vanderhorst streets. The first precinct of Ward Nine shall embrace all that portion of said Ward North of Mary street, South of Columbus street and East of Nassau and Hanover streets. The poll shall be held at or near the corner of Amherst and America streets. The second precinct of Ward Nine shall embrace all that portion of said Ward North of Columbus, East of Hanover street to the city boundary. The poll shall be held at or near the corner of America and Cooper streets. The first precinct of Ward Ten shall embrace all that portion of said Ward North of Mary street, South of Columbus street, West of Nassau and East of King street. The poll shall be held at or near the corner of Wolfe and Meeting streets.

A. D. 1890.

Polling place.
Second precinct of Ward 5.

Polling place.
First precinct of Ward 6.

Polling place.
Second precinct of Ward 6.

Polling place.
First precinct of Ward 7.

Polling place.
Second precinct of Ward 7.

Polling place.
First precinct of Ward 8.

Polling place.
Second precinct of Ward 8.

Polling place.
First precinct of Ward 9.

Polling place.
Second precinct of Ward 9.

Polling place.
First precinct of Ward 10.

Polling place

A. D. 1890. The second precinct of Ward Ten shall embrace all that portion of said Ward North of Columbus, East of King street and West of Hanover street to the city boundary. The poll shall be held at or near the corner of Line and Meeting streets. The first precinct of Ward Eleven shall embrace all that portion of said Ward North of Radcliffe street, South of Spring street, West of King street and East of Rutledge Avenue. The poll shall be held at or near the corner of Morris and Coming streets. The second precinct of Ward Eleven shall embrace all that portion of said Ward North of Spring street, West of King street and East of Rutledge street to the city boundary. The poll shall be held at or near the corner of Line and Coming streets. The first precinct of Ward Twelve shall embrace all that portion of said Ward North of Bee street, West of Rutledge Avenue, East of President street and its line of prolongation to the city boundary. The poll shall be held at or near the corner of Ashley and Spring streets. The second precinct of Ward Twelve shall embrace all that portion of said Ward North of Bee street, West of President street and its line of prolongation to the city boundary. The poll shall be held at or near the corner of Spring and Norman streets.

SEC. 2. The said voting precincts are hereby declared to be the voting precinct for all elections held in the City of Charleston, whether State, Federal or municipal.

SEC. 3. The Governor is hereby authorized and required to appoint three Commissioners whose duty it shall be to revise the registration books of the County of Charleston so far as the same relate to the voting precincts in the City of Charleston, and to rearrange the registration by assigning the electors to the appropriate registration and voting precincts as prescribed by this Act. For this purpose the said Commissioners shall call in all certificates heretofore issued and shall cancel the same and issue other certificates in accordance with the changes hereby made in the registration and voting precincts; and no certificate heretofore issued shall be good and valid to entitle an elector to vote in any State, Federal or municipal election. The said Commission shall also provide and open a new set of registration books for the said registration and voting precincts, and shall re-register therein all electors who shall surrender their former certificates and register all other electors who have become entitled to registration since the closing of the books of registration on the first Monday in July last. The said Com-

Second pre-
cinct of Ward 10
Polling place.
First precinct
of Ward 11.
Polling place.
Second pre-
cinct of Ward 11
Polling place.
First precinct
of Ward 12.
Polling place.
Second pre-
cinct of Ward 13
Polling place.
Voting pre-
cincts for all
elections.
Governor to
appoint three
Commissioners.
To supervise
and rearrange
registration.
Substitution of
certificates.
All certificates
invalid.
New books.
Reregistration.

missioners shall also have power to issue certificates and to register all electors who shall make proof of the loss of their former certificates in the manner now provided by law. The said revision to be made and completed by the thirty-first day of May in the year of our Lord eighteen hundred and ninety-one.

SEC. 4. The registration herein provided and the certificates issued in accordance with the provisions of this Act, and those which shall thereafter be issued in pursuance of law upon proof of loss, or which shall be issued to persons becoming thereafter entitled to vote, shall be good and sufficient for any election in the City of Charleston, whether State, Federal or municipal, so that there shall be in the said city but one registration and one set of certificates for all election purposes.

SEC. 5. Upon the completion of the revision of the registration in the City of Charleston, as hereinbefore provided, the said Commissioner shall turn over and deliver the registration books and all papers connected therewith to the Supervisor of registration for the County of Charleston.

SEC. 6. The said Commissioners shall receive for their services herein the sum of one hundred dollars each; and are hereby authorized to employ a Clerk who shall receive for his services the sum of one hundred dollars. The said Commissioner shall provide proper and sufficient registration books and stationery and an office for the purposes of this Act. The said salary and expenses of books and stationery and office hire shall be paid in equal parts by the County of Charleston and the City of Charleston upon the warrant of the said Commissioner.

SEC. 7. That anything in an Act entitled "An Act to divide the City of Charleston into twelve wards and making provision for the election of the Mayor and Aldermen of the said city," approved December 21, A. D. 1882, or in any other Act or Acts, or parts of Acts, inconsistent with the provisions of this Act, is hereby repealed.

SEC. 8. That all of the expenses that may be incurred for the holding of municipal elections, to wit: the hire of polling precincts, and pay of Managers and Clerk, advertising and printing, be paid by the City of Charleston. That all of the expenses that may be incurred for the holding of State and Federal elections, to wit: the hire of polling precincts, the pay of Managers and Clerk, advertising and printing, be paid by the

A. D. 1890.

Lost certificates.

Limit of time.

Certificates good for all elections.

Books to be turned over to Supervisor of Registration.

Compensation.

Clerk.

Books, stationery and office.

Payment of expenses.

Repealing clause.

18 Stat., 71.

Expenses of municipal elections.

Expenses of State and Federal elections.

A. D. 1890.

State and County, respectively, as now provided for by general election laws.

Approved December 24th, A. D. 1890.

No. 470. AN ACT TO AMEND THE GENERAL STATUTES RELATING TO THE ASSESSMENT AND COLLECTION OF TAXES FOR SCHOOL PURPOSES, AND TO ADD TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 229*a* AND 229*b*.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following Sections be added to the General Statutes, to be known and designated, respectively, Sections 229*a* and 229*b* :

Additional
Sections.

Auditor to
state School
District of tax-
payer.

SECTION 229*a*. It shall be the duty of each Auditor to state, in a separate column, the School District in which the taxpayer resides.

Report of
polls.

SECTION 229*b*. At the expiration of the times prescribed by law to receive returns, each Auditor shall make out and forward to the Board of Trustees of each School District within his County a correct list of the polls returned from their respective Districts. The School Trustees shall examine carefully said list and report to the Auditor as soon as practicable the names of all persons who shall have failed or neglected to make returns, and it shall be the duty of the Auditor to enter upon his books the names of all persons thus reported to him by Boards of School Trustees.

School Trust-
tees to report
omissions.

Auditor to en-
ter names.

Approved December 24th, A. D. 1890.

No. 471. AN ACT TO AMEND SECTION 259 OF THE GENERAL STATUTES OF THIS STATE, RELATING TO THE COMPENSATION OF THE MEMBERS OF THE STATE BOARD OF EQUALIZATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Section 259 of the General Statutes of this State, relating to the compensation of the members of the State Board of Equalization, be amended by striking out the word "ten" on the third line thereof and inserting the word "five" in lieu thereof. So that said Section as amended shall read as follows :

A. D. 1890.

Section amended.

Each member of the State Board of Equalization shall receive three dollars per day for each day he shall be employed in performing the duties enjoined upon him, and five cents per mile for traveling to, and the same for returning from, the seat of government, to be computed by the most usually traveled route, and paid out of the State Treasury, on the warrant of the Comptroller General.

Compensation fixed.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND SECTION 621 OF THE GENERAL STATUTES OF THE STATE, RELATING TO THE TIME FOR THE ANNUAL MEETING OF THE BOARDS OF COUNTY COMMISSIONERS OF THE SEVERAL COUNTIES OF THIS STATE. No. 472.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 621 of the General Statutes of this State be, and the same is hereby, amended by striking out the word Tuesday, in the third line of said Section, and inserting in lieu thereof the word Thursday. So that said Section as amended shall read as follows :

Section amended.

SECTION 621. The fiscal year shall commence on the first day of November of each year. The annual meeting of the Board of County Commissioners for each County shall be on the first Thursday after the first Monday of November, and the Clerk of the Board shall give notice of the time of holding said annual meeting by inserting the same at least once a week for four weeks previous to such meeting in any newspaper published in the County ; and if there be no paper published in the County, then he shall post said notice on the court house door. Said notice shall require all persons holding bills, accounts, or demands of any kind against the County, which have not been before presented to

Fiscal year.

Day of annual meeting.

Notice by clerk.

Deposit with Clerk of County claims.

A. D. 1890.

the Board of County Commissioners at special meetings held during the year, to deposit the same with the said Clerk on or before the first day of November, so that they may be examined and ordered to be paid at the annual meeting; and it shall be the duty of all persons holding such accounts or claims not paid to deposit them with the Clerk of the Board in accordance with the requirements contained in the notice.

Approved December 20th, A. D. 1890.

No. 473. AN ACT TO AMEND SECTION 773 OF THE GENERAL STATUTES OF THE STATE, SO FAR AS THE SAME RELATES TO THE BOND OF THE JUDGE OF PROBATE FOR YORK COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 773 of the General Statutes of this State, as amended by an Act entitled "An Act to amend Section 773 of the General Statutes of the State, so far as the same relates to the Judge of Probate for Spartanburg County," approved December 24, A. D. 1887, be, and the same is hereby, amended by inserting after the word dollars, in the ninth line, the following: The Judge of Probate for York County in the sum of ten thousand dollars. So that said Section, as amended, shall read as follows:

SECTION 773. The Judges of Probate in the several Counties of the State, before receiving their commissions, shall take the oath prescribed by the Constitution, and also the oath with regard to dueling, and shall enter into bond, to be executed by them and any number of sureties not exceeding twelve, nor less than two, to be approved by a majority of the Board of County Commissioners, for the faithful discharge of the duties of their office, to wit: Judge of Probate for Charleston and Spartanburg Counties in the sum of ten thousand dollars; the Judge of Probate for York County in the sum of ten thousand dollars; the Judge of Probate of Horry County in the sum of two thousand and five hundred dollars; the Judge of Probate of Williamsburg County in the sum of two thousand dollars; and each of the Judges of Probate for the other Counties in the sum of five

Section amend-
ed.

19 Stat., 1187.

Bond in York.

Oaths by
Judges of Pro-
bate.

Form and
penalty of bonds

Charleston.
Spartanburg.

York.

Horry.

Williamsburg.

Other Counties.

thousand dollars. They shall qualify within thirty days after the election is declared.

A. D. 1890.

When to qualify

Approved December 20th, A. D. 1890.

AN ACT TO AMEND PARAGRAPH ONE OF SECTION NINE HUNDRED AND NINETY-SEVEN OF THE GENERAL STATUTES, RELATING TO MEETINGS OF THE STATE BOARD OF EXAMINERS. No. 474.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Paragraph one of Section nine hundred and ninety-seven of the General Statutes, as amended by an Act approved December 24th, 1888, be amended by striking out the proviso thereof, so that when so amended the said Paragraph one of Section nine hundred and ninety-seven shall read as follows :

Section 997,
¶ 1, amended,
ante 56.

SECTION 997. The State Boards of Examiners shall, during the months of April and October of each year, and at such other times as may be necessary, examine all persons who may make application as to their qualification for teaching school in this State ; and to every person of good moral character who passes a satisfactory examination the Board shall issue a certificate of qualification, to be signed by its Chairman, which certificate shall authorize the person to whom it is given to teach in any of the free public schools of this State in which his or her services may be desired by the Trustees of the school in which he or she may make application to teach without further evidence of qualification. Said certificate shall be valid for the term of two years, unless sooner revoked, and it may be renewed with or without examination at the discretion of the State Board of Examiners. Notice of the meetings provided for in this Section shall be given in at least two daily newspapers published in this State.

Examination
of teachers.

Certificate of
qualification.

Term of certificate.
Renewal.

Notice of
meetings.

Approved December 20th, A. D. 1890.

A. D. 1890. AN ACT TO AMEND SUBDIVISION 2*d* OF SECTION 1012 OF
 No. 475. CHAPTER XIX OF THE GENERAL STATUTES, ENTITLED "OF
 THE FREE PUBLIC SCHOOLS."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
 Section 1012, Subdivision 2*d* of Section 1012 of Chapter XIX of the General Statutes, entitled "Of the Free Public Schools," be amended by inserting between the word "Charleston" and the word "and" on the third line of said Subdivision 2*d* the words :
 "and fix their salaries, subject to the approval of the County Board of Examiners." So that said Subdivision 2*d*, when so amended, shall read as follows :

Employment of teachers. Subdivision 2*d*. To employ teachers from those having certificates from their County Board of Examiners, or from the State Board of Examiners, or of the City Board of Commissioners of Charleston, and fix their salaries, subject to the approval of the County Board of Examiners, and to discharge the same when good and sufficient reasons for so doing present themselves.

Salaries.

Dismissal.

Approved December 24th, A. D. 1890.

No. 476. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION 1090, TITLE 10, CHAPTER 22, OF THE GENERAL STATUTES OF THIS STATE," APPROVED DECEMBER 24TH, 1885, "RELATING TO PERSONS EXEMPT FROM ROAD DUTY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
 A. A. 1885, an Act entitled "An Act to amend Section 1090, Title 10, Chapter 22, of the General Statutes of this State," approved December 24th, 1885, be, and the same is hereby, amended by adding thereto another Section to be known as Section 2 :

Repealing clause added. SECTION 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND SECTION 2123 OF THE GENERAL STATUTES,
RELATIVE TO CIRCUIT COURTS IN THIS STATE.

A. D. 1890.

No. 477.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2123 of the General Statutes be, and the same is hereby, amended by adding thereto the following words: "And in the event that there be no Circuit Judge disengaged, then the Governor, upon the recommendation of the Supreme Court, or the Chief Justice thereof if the Supreme Court be not in session, shall immediately commission as Special Judge such person learned in the law as shall be recommended to hold the Courts of such Circuits for that term only. And any Special Judge so appointed shall receive as compensation for his services the same rate of salary now prescribed for Circuit Judges, to be estimated per diem, during the time actually engaged, and to be paid in like manner as Circuit Judges are now paid." So that said Section will read when amended as follows:

SECTION 2123. Whenever any Circuit Judge, pending his assignment to hold the Courts of any Circuit, shall die, resign, be disabled by illness, or be absent from the State, or in case of a vacancy in the office of Circuit Judge of any Circuit, the Chief Justice or presiding Associate Justice may assign any other Circuit Judge disengaged to hold the Courts of such Circuits, or to fill any appointment made necessary by such vacancy; and in the event that there be no other Circuit Judge disengaged, then the Governor, upon the recommendation of the Supreme Court, or the Chief Justice thereof if the Supreme Court be not in session, shall immediately commission as Special Judge such person learned in the law as shall be recommended to hold the Courts of such Circuits for that term only. And any Special Judge, so appointed, shall receive as compensation for his services the same rate of salary now prescribed for Circuit Judges, to be estimated per diem during the time actually engaged and to be paid in like manner as Circuit Judges are now paid.

Section amended.

Assignment of
Circuit Judge to
other Circuits.Or, if no Judge
be disengaged,
some other
lawyer.Compensation
of special Judge

Approved December 24th, A. D. 1890.

A. D. 1890.

No. 478.

Ante 862.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO AMEND SECTIONS 2236 AND 2237 OF THE GENERAL STATUTES, IN RELATION TO JURIES,' APPROVED 24TH DECEMBER, 1886,' APPROVED 20TH DECEMBER, 1888," APPROVED 24TH DECEMBER, 1889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2236 of the General Statutes of this State as heretofore amended be, and is hereby, amended so as to read as follows :

Section 2236,
amended.

List of jurors
to be prepared
in January.

Who shall be
listed.

Exceptions.

Proviso as to
Charleston.

SECTION 2236. The Board of Jury Commissioners of each County shall, once in every year, during the month of January, prepare a list of such inhabitants of their respective Counties, not absolutely exempt, as they may think well qualified to serve as jurors, being persons of good moral character, of sound judgment, and free from all legal exceptions, which list shall include not less than one from every twenty voters, nor more than one from every ten voters, of their respective Counties, to be selected without regard to whether such persons live within seven miles or more than seven miles from the Court House ; except that in the Counties of Abbeville and Orangeburg the said list shall be prepared during the month of December : *Provided*, That in the County of Charleston the number of names to be placed on the list of inhabitants hereinbefore required shall not be less than one thousand, the name of each of which persons shall be placed in the jury box for the said County in the manner provided for in the first paragraph of the Section next hereafter ensuing.

Section 2237
amended.

SEC. 2. That Section 2237 of the General Statutes of this State as heretofore amended be, and is hereby, amended so as to read as follows :

Form of bal-
lots.

To be placed
in box.

Tales box.

SECTION 2237. Of the list so prepared the Board of Jury Commissioners shall cause the names to be written, each one on a separate paper or ballot, and shall fold up said pieces of paper or ballots so as to resemble each other as much as possible, so that the name written thereon shall not be visible on the outside, and shall place them in a box to be furnished them by the County Commissioners of their County for that purpose, and by said Board of Jury Commissioners to be kept. At the same time they shall place in a separate and special apartment in the jury box, to be known as the tales box, the

names of one hundred and fifty persons, qualified by law to serve as jurors, who reside within seven miles of the Court House, from which shall be drawn jurors to supply deficiencies arising from any cause or emergency during the sitting of the Court :

A. D. 1890.

Provided, That in the County of Richland the number of names to be placed in the separate apartment shall be two hundred,

Provide as to Richland.

and in the County of Charleston five hundred : *Provided, further*, That in the County of Chester the number of names to be

Charleston.

Chester.

placed in the separate apartment shall be fifty, who reside within five miles of the Court House : *Provided, further*, That in the

Counties of Richland and Orangeburg the names placed in the tales box shall be in addition to and exclusive of the number of

Richland and Orangeburg.

names required by law to be placed in the jury box : *Provided, further*, That the names of persons liable to jury duty and liv-

ing within seven miles of the Court House may be placed both in the regular jury box and in the tales box, except in the

Counties of Richland and Orangeburg : *Provided, further*, That no Clerk, Constable, or Deputy of the Clerk of the Court,

County officers and Court employees disqualified.

Sheriff, Probate Judge, County Commissioners, Trial Justices, or other County officer, or any employee within the walls of

any court house, shall be eligible as a juryman in any civil or criminal case.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

SEC. 4. That this Act shall take effect from and immediately after its approval.

When to take effect.

Approved December 20th, A. D. 1890.





INDEX TO PART I.

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ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

PART II.

Special Acts and Joint Resolutions.

AN ACT TO INCORPORATE THE ANDERSON AND SOUTH PORT No. 479. RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. E. Brazeale, J. M. Sullivan, R. S. Hill, W. A. Neal, A. Zimmerman, W. F. Parker, W. J. Kirk, John McFall, James J. Norton, John Waddell, John G. Williams, O. W. Buchanan, W. D. Trantham, J. E. Nettles, W. J. Montgomery, and their associates and successors, be, and they are hereby, constituted a body corporate and politic, under the name and style of the Anderson and South Port Railroad Company.

Corporators.

Incorporation.

Name.

SEC. 2. That the said company shall have power and authority to build, construct and operate a railroad from Anderson C. H., South Carolina, through the Counties of Abbeville, Laurens, Newberry, Fairfield, Kershaw, Darlington, Florence, Marion and Horry, to the North Carolina line in the direction of South Port, North Carolina, by the most practicable route, as the said company may determine; to acquire by purchase or otherwise, and to hold, own, possess, and sell, or otherwise transfer, real and personal property; to sue and be sued, implead and be impleaded, and to have and exercise all and every other power, authority, privilege and right common or necessary to similar

Route of road.

Property rights.

Other rights and powers.

A. D. 1890.

Rights of corporators.

corporations, not inconsistent with laws of the State or the provisions of this Act.

SEC. 3. That the said corporators shall be *ex officio* Directors of said company, with the usual powers and privileges, a majority of the same, however, having power at any time to take such action as they may deem necessary to the further and complete organization of the company in accordance with the provisions of this Act.

Capital stock.

SEC. 4. That the capital stock of said company shall be three hundred thousand dollars, in shares of one hundred dollars each, with the privilege from time to time of increasing the capital stock in such amounts as the said company may, by a majority of the stockholders, determine, to carry out the purposes of this Act, said capital stock not to exceed, however, the sum of three million dollars, and such shares to be transferable in such manner as the by-laws may direct.

Organisation.

Notice to be given.

That when the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall appoint a time and place for the meeting of said stockholders, due notice having been given in such manner as a majority of the corporators may deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of a President and nine Directors, who shall hold their offices for one year and until their successors are elected.

President and Directors.

Consolidation.

SEC. 5. And the said company is hereby authorized and empowered to merge and consolidate its capital stock, estate, real and personal and mixed, franchises, rights, privileges and property with any other railroad company or companies chartered by and organized under the laws of this State or States, whenever the two or more railroad companies so to be merged and consolidated shall and may form a continuous line of road with each other, and by means of any intervening road or roads, and said consolidation may be effected in such manner and on such terms and conditions as a majority of the stockholders may determine: *Provided*, That the terms and manner of such consolidation shall not conflict with any law now or hereafter of force.

Manner and terms of consolidation.

Bonds, mortgages and preferred stock.

SEC. 6. That said company is hereby authorized and empowered to mortgage any and all of its property and franchises, and to issue bonds and preferred stock to such an amount and on such terms and conditions and for uses and purposes of said

company as a majority of the stockholders thereof shall deem expedient.

A. D. 1890.

SEC. 7. That the said company shall have any right, power and privilege necessary for the purpose of acquiring such lands and rights of way as may be required for locating and constructing and operating said road and branches thereof, and for the erection and location of depots, warehouses, wharves, and other necessary establishments, or for altering or extending the same; and the said company shall have the benefit of every process and every proceeding, and be subject to the restrictions provided or imposed, in Sections 1550 to 1661, both inclusive, of the General Statutes of this State.

Rights of way.

Depots,
wharves, &c.

Subject to G.
S., §§ 1550-61.

SEC. 8. That subscriptions to the capital stock of said company shall be made in money, lands, material, or labor, at the discretion of the company, to suit the subscribers.

Subscriptions
to capital stock.

SEC. 9. That this charter shall be subject to all the provisions of Part I, Chapter XL, of the General Statutes, known as the Railroad Act, and said company to commence work in three years and build and equip ten miles on its said line of railway within five years from and after the passage of this Act, otherwise this charter to be null and void.

Subject to
General Rail-
road Law.

Limits of time.

SEC. 10. That this Act shall be deemed a public Act and shall continue in force until it expires by its own limitations, to wit: for a period of thirty years, and until the first meeting of the General Assembly of this State thereafter.

Public Act.
Duration.

Approved December 24th, A. D. 1890.

AN ACT TO CHANGE THE NAME OF THE "ATLANTIC, ASHEVILLE AND KNOXVILLE RAILWAY COMPANY" TO THE "CAPE FEAR AND CINCINNATI RAILWAY COMPANY" AND TO AMEND THE CHARTER OF THE SAME.

No. 480.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to change the name of the Camden, Chester and Gaffney City Railroad Company to

A. A. 1889, ante
264, amended.

A. D. 1890.

the Atlantic, Asheville and Knoxville Railway Company, and to amend the same," approved December 24th, 1889, be, and the same is hereby, amended in Section 1, lines 5 and 6, by striking out the words "Atlantic, Asheville and Knoxville" and inserting the words "Cape Fear and Cincinnati," and the same amendment be made wherever said words occur in any other portion of said Act, thereby changing the name of said corporation to the "Cape Fear and Cincinnati Railway Company." That all the rights, powers, privileges, franchises and immunities conferred upon and enjoyed by the said "Atlantic, Asheville and Knoxville Railway Company" under said Act be, and the same are hereby, continued to and conferred upon said railway company under its new corporate name of the "Cape Fear and Cincinnati Railway Company," and the said corporation under its new corporate name shall be subject to all the duties and liabilities imposed upon said company under the Act aforesaid.

Name changed.

Rights and powers continued.

Also its duties and liabilities.

Amendment as to route.

SEC. 2. That said Act be further amended in Section 3, line 9, after the words "North Carolina," by inserting the words "or in the direction of Shelby, Cleveland County, North Carolina, or in both directions, if deemed expedient to secure desirable connections."

Amendment as to capital stock.

SEC. 3. That said Act be further amended in Section 4, lines 2 and 3, by striking out the words "three hundred thousand dollars," and inserting in lieu thereof the words "one million five hundred thousand dollars," thereby authorizing the capital stock of the company to be increased, if deemed expedient, to one million five hundred thousand dollars.

Approved December 24th, A. D. 1890.

NO. 481. AN ACT TO CHARTER THE BENNETTSVILLE AND GIBSON STATION RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Corporators. F. B. Gibson, Simeon Gibson, John L. McLaurin, I. B. Braedon, C. P. Townsend and J. F. Braedon, and their associates and

successors, be, and are hereby declared to be, a body politic and corporate, under the name and style of the Bennettsville and Gibson Station Railroad Company, with all the rights and privileges incident to such corporation.

A. D. 1890.

Incorporation
and name.
Rights and
privileges.

SEC. 2. That said company is hereby authorized to construct a line of railroad from the North Carolina line at or near Gibson's Station, in Richmond County, North Carolina, to the Town of Bennettsville, in Marlboro County, in this State; and from said Town of Bennettsville to Olio and to Little Rock and Marion Court House, in Marion County.

Railroad
authorized and
its route.

SEC. 3. That the capital stock of said company shall be fifty thousand dollars, and may be increased by an amount not exceeding one million dollars, in shares not less than one hundred dollars each; and for the purpose of obtaining subscriptions to the same, the said company is hereby authorized to open books at such times and places as they may deem advisable.

Capital stock.

Books of sub-
scription.

SEC. 4. That when the sum of twenty thousand dollars shall have been subscribed to said capital stock, the said company may meet and organize by the election of suitable officers, and may adopt such by-laws, rules and regulations, not repugnant to law, as they may deem proper for the government of said company. And the said railroad company shall have power to mortgage its property and franchises, and to issue bonds on such terms and conditions and for such uses and purposes of the said corporation as the Board of Directors may deem expedient.

Organization.

Officers and
by-laws.

Bonds and
mortgages.

SEC. 5. That the Bennettsville and Gibson Station Railroad Company may, at any time during the existence of this charter, effect a consolidation with any other railroad company according to the provisions of law.

Consolidation.

SEC. 6. This Act shall be deemed a public Act and shall continue in force for twenty-one years, and until the adjournment of the General Assembly next thereafter.

Public Act.

Duration.

SEC. 7. That the said company are allowed five years in which to have the road graded from the North Carolina line to Bennettsville, and in case of failure to perform this condition this charter shall be forfeited.

Part of line to
be graded with-
in 5 years.

Approved December 23d, A. D. 1890.

A. D. 1890. AN ACT TO INCORPORATE THE BRANCHVILLE AND BOWMAN
No. 482. RAILROAD COMPANY.

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Corporators.	Samuel Dibble, E. T. R. Smoak, B. H. Moss, Thomas M. RAY- sor, and their associates and successors, be, and they are hereby,
Incorporation and name.	constituted a body politic and corporate, under the name and style of the Branchville and Bowman Railroad Company, and by
Powers.	that name may sue and be sued, plead and be impleaded; may
By-laws.	make such by-laws as are not repugnant to the Constitution and
Officers and agents.	laws of this State, or of the United States; may appoint officers and agents and define their duties; may accept, purchase, hold,
Property rights.	lease, or otherwise acquire, any property, real or personal, necessary or convenient for the purposes of the said company,
	and may use, sell, convey and dispose of the same as the interest of the company may, in the judgment of a majority of the
Other powers.	stockholders, require; may make contracts, have and use a com-
Bonds and mortgages.	mon seal; may mortgage any and all of its property and fran- chises; may issue bonds to an amount and on such terms and
	conditions, and for such uses and purposes of said company, as
Other acts.	a majority of the stockholders may determine, and do all other lawful acts properly incident to and connected with said corpo- ration and necessary or convenient for the control and trans- action of its business.
Route of road.	SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, acquire, by lease or purchase, maintain and operate, a railroad from within or near the Town of Branchville, in the County of Orangeburg, to a place on the old Orangeburg and Charleston road about fourteen miles from the City of Orangeburg, known as Bowman, by such route as shall be found most convenient, suitable and advantageous, and with the privilege of extending the same to any other point in
Rights and liabilities.	Orangeburg County; and that in all matters not herein spe- cially provided for the said company shall have all the rights, powers and privileges, and be subject to all liabilities, provisions
19 Stat., 171.	and limitations, set forth in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, 1885.
Capital stock.	SEC. 3. That the capital stock of the said company shall be twenty-five thousand dollars, in shares of one hundred dollars each, with the privilege of increasing such capital stock or of

issuing preferred stock in such amounts as the said company, from time to time, may by a majority vote of its stockholders determine, to carry out the purposes of this Act : *Provided*, That the capital stock shall at no time exceed the sum of one million dollars.

A. D. 1890.

Limit.

SEC. 4. That when the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place for a meeting of said stockholders, of which fifteen days' notice shall be given in such newspapers of this State as they deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of not less than three nor more than nine Directors, as the by-laws to be adopted may determine, and such Directors shall elect one of their number for President and one for Vice-President of said company. The said Board of Directors and the said President and Vice-President so elected shall hold their offices for one year and until their successors be elected.

Organization.

Notice to be given.

President, Vice President and Directors.

Term of office.

SEC. 5. That said company shall have full power and authority to connect with or cross any other railroad in its proposed line and also to purchase or lease any other railroad or tramway constructed or operated within the limits hereinbefore set forth.

Rights as to other roads.

SEC. 6. That the said company is further authorized and empowered forthwith upon the completion or acquirement by purchase, lease or consolidation, as herein provided, of any portion or section of said railroad between any points through which the same may run under this charter to operate and maintain such portion or section with all the rights, powers and privileges hereby granted to said company.

May operate completed sections.

SEC. 7. That any lease, sale, transfer or consolidation of the company hereby incorporated shall be submitted to a meeting of the stockholders and be ratified by a majority of the said stockholders who have subscribed to said capital stock at the date of such submission of lease, sale, transfer or consolidation before the same shall be legal or binding.

Lease, sale or consolidation to be approved by stockholders.

SEC. 8. That the said company shall have power, if need be, to conduct its railroad across any public road, river, creek, water or water courses that may be in its route : *Provided*, That the passage of roads or of navigable waters be not obstructed thereby.

Crossing of roads, rivers, &c.

A. D. 1890.

Passage of streets in towns SEC. 9. That the said railroad company be, and the same is hereby, authorized and empowered, by and with the consent of the Council of any town or city through which it may pass, to construct its tracks through one or more of the public streets or ways of such town or city, under such conditions as may be determined upon by such Council.

Rights of way. SEC. 10. That the said railroad company may have the right to take for its right of way one hundred feet on each side of the centre of its roadbed and proper grounds for depot and other facilities: *Provided*, That the same be condemned according to existing laws or acquired by consent of the owner of such lands.

Delinquent stockholders.

SEC. 11. That if any stockholder shall fail to pay any installment of his subscription thereafter required by the President and Directors, or a majority of them, within one month after the call for the same has been made and advertised in one or more of the papers published in this State, it shall and may be lawful for the President and Directors, or a majority of them,

Sale of stock.

to sell at public auction and convey to the purchasers the share or shares of such stockholders so failing or refusing to pay, giving twenty days' notice of the time and place of such sale, and after paying the sums due and all expenses incident to the sale shall pay the surplus to the former owner or his legal representative, and any purchaser of the stock of the company under the sale of the President and Directors as aforesaid shall be subject to the same rules and regulations as the original proprietor.

Liabilities of purchaser.**Liability of stockholders.**

SEC. 12. That every stockholder in the said company shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*,

Provisoos.

That such demand shall have been payable in one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be a

Executors, trustees, &c.

stockholder: *Provided, further*, That persons holding stock in such companies as executor, administrator, or by way of collateral security shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the

same extent as the deceased debtor or intestate or the ward or person interested in such trust fund would have been if they had respectively been living and competent to act and hold the stock in their own names.

A. D. 1890.

SEC. 13. That this Act shall be held and deemed a public Act, and the rights, powers and privileges conferred by this Act shall vest and continue in said company and their successors for and during the term of fifty (50) years, to be computed from the time of the approval of this Act.

Public Act.

Duration.

SEC. 14. That the construction of the said railroad shall be commenced, or a part thereof acquired by purchase or otherwise, within two years from the passage of this Act, and its road shall be completed to Bowman within four years therefrom, otherwise the same shall have no force and effect.

Limits of time.

Approved December 23d, A. D. 1890.

AN ACT TO INCORPORATE THE CHARLESTON AND SEA ISLAND RAILROAD COMPANY. No. 483.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George B. Edwards, C. M. Ward, F. Schaffer and I. N. Voorhies, and such other persons as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate.

Corporators.

Incorporation.

SEC. 2. The name and style of such corporation shall be the "Charleston and Sea Island Railroad Company."

Name.

SEC. 3. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said corporation, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place of meeting of said stockholders, of which fifteen days' notice shall be given by advertisement in the News and Courier, of the City of Charleston, at which time and place the said stockholders may proceed to the organization of said corporation by the election of such officers as the said stockholders may determine; that the capital stock of said corporation may be increased from time to time to any sum not exceeding one million of dollars, subscription to which may be made in money or other property, or in work and

Organization.

Notice to be given.

Officers.

Capital stock.

A. D. 1890.	labor, as the corporation may agree and determine, which capital stock shall be in shares of one hundred dollars each, and may be transferable in such manner as the by-laws may direct.
Route.	SEC. 4. The said corporation is hereby authorized and empowered to construct a railway from any point on or near the Cooper River, in or near the City of Charleston, by any convenient route across the Ashley, Stono and other rivers and water courses to the West of the said city, along or near the coast, with branches extending from the main line to, through and across the several sea islands along the coast, and may connect their tracks with the tracks of other railroads for purposes of through transportation.
Branches.	
Connections.	
May own vessels.	SEC. 5. The said corporation is also authorized and empowered to build, purchase, own, hold, use, sell, or otherwise dispose of, steamboats and sailing vessels, so as to carry on the business of general through and coastwise transportation from any point of its lines or connections. The said corporation is also authorized and empowered, for the purposes of its business,
Do coastwise transportation.	to construct, own and operate wharves and warehouses, and to charge for the use of the same, and may also own and acquire stock in railway and ship companies; and shall have all the
Wharves and warehouses. May own stock.	
Rights and liabilities.	rights, powers and privileges, and be subject to all the liabilities, provisions and limitations, contained in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23, A. D. 1885.
19 Stat., 171.	
Public Act.	SEC. 6. This Act shall be a public Act, and shall remain in force for the term of fifty years.
Duration.	

Approved December 23d, A. D. 1890.

No. 484. AN ACT TO AUTHORIZE THE TOWN COUNCIL OF BENNETTSVILLE TO SUBSCRIBE TO THE CAPITAL STOCK OF THE CHARLESTON, SUMTER AND NORTHERN RAILROAD COMPANY, AND OF THE BENNETTSVILLE AND SOCIETY HILL RAILROAD COMPANY, AND TO PROVIDE FOR THE PAYMENT OF THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That the Mayor and Aldermen of the Town of Bennettsville are hereby authorized and empowered to subscribe to the capital stock of the Charleston, Sumter and Northern Railroad Company to an amount not exceeding the sum of fifteen thousand dollars, and to the capital stock of the Bennettsville and Society Hill Railroad Company to an amount not exceeding the sum of three thousand dollars, in such manner as is hereinafter prescribed.

A. D. 1890.
Subscription
authorized and
its limits.

SEC. 2. That for the purpose of determining whether or not said subscription shall be made, it shall be the duty of the Mayor of Bennettsville, upon the application of a majority of the owners of real or personal property residing within the corporate limits of said town, to order an election, specifying the time, place and purpose of the same, and to appoint three Managers, who shall, without compensation, hold and conduct such election, at which said election the ballots shall have printed or written thereon the word "Subscription" or "No Subscription." That the notice hereinbefore provided for shall be given not less than ten days before said election in one or more newspapers published in said County of Marlboro, and all qualified electors residing within the corporate limits of the said Town of Bennettsville shall be entitled to vote at said election; and it shall be the duty of the Managers to count the votes and declare the result as in other elections, which result shall be certified in writing by the Chairman of the Board of Managers to the Mayor and Board of Aldermen of the said Town of Bennettsville within five days after said election shall have been held.

Election to be
ordered.

Managers.

Notice.

Electors.

Duty of Man-
agers.

SEC. 3. That in case a majority of the ballots cast shall be in favor of said subscription, then the said Mayor and Aldermen shall be authorized and empowered to subscribe to the capital stock of said companies as hereinbefore provided for: *Provided*, That no subscription shall be made to the capital stock of the said Charleston, Sumter and Northern Railroad Company until the line is completed from the Town of Sumter to the Town of Bennettsville, and is received by the Board of Railroad Commissioners of the State of South Carolina, and no subscription shall be made to the capital stock of the Bennettsville and Society Hill Railroad Company until the line is completed from Society Hill to Bennettsville and received by the Board of Railroad Commissioners, as provided for in the case of the Charleston, Sumter and Northern Railroad Company.

Subscription
to be made.

Provisions.

<p>A. D. 1890.</p> <p>Payable in bonds.</p> <p>Denomination and execution.</p>	<p>SEC. 4. That said subscriptions shall be made in bonds of the Town of Bennettsville, which the said Mayor and Board of Aldermen are hereby authorized to issue; that said bonds shall be of such denominations as the said Mayor and Board of Aldermen may deem most advisable, shall be signed by the Mayor of said town, countersigned by the Town Clerk and Treasurer, and shall be sealed with the corporate seal and numbered from one consecutively upward. The said bonds shall become due and payable within thirty years from their date, shall bear interest from their date at the rate of six per cent. per annum, payable annually on the first day of January of each year, and each and every of said bonds shall have as many coupons attached as there shall be annual payments of interest to be paid on the bond, with the amount of interest falling due and the date when it shall become due; each coupon shall be signed by the Town Clerk and Treasurer, and shall be receivable in payment of any and all taxes and debts that may be levied by and due to the said Town Council for the year in which the same becomes payable.</p>
<p>When payable.</p> <p>Interest.</p> <p>Coupons.</p>	
<p>Receivable for taxes.</p>	
<p>Annual tax.</p>	<p>SEC. 5. That the said Town Council shall levy and collect annually during the thirty years the said bonds shall run an annual tax sufficient to pay the interest on the said bonds, at the same time and in the same manner the taxes are levied and collected for ordinary town purposes, and with like authority and penalties for the non-payment of the same, and shall every year during the same period, beginning in the year next after the said bonds shall have been issued, levy and collect, in addition to the ordinary taxes and the tax for the payment of the annual interest, an additional tax as and for a sinking fund to pay the principal of said bonds: <i>Provided</i>, That such additional tax for retiring said bonds shall in no year exceed ten cents on the one hundred dollars of property returned for taxation in said town.</p>
<p>Sinking fund.</p>	
<p>Limit to tax.</p>	
<p>Appropriation of tax.</p>	<p>SEC. 6. That the tax herein authorized to be collected shall be set apart as a special fund for the purpose of paying said interest and reducing said bonded debt, and shall be used for no other purpose whatsoever: <i>Provided</i>, The said Mayor and Board of Aldermen may from year to year use as much of said fund as is not required for the payment of the annual interest in the purchase of said bonds when the same can be bought at or below par: <i>Provided, further</i>, That should the said Town Council be unable to buy said bonds at or below par, then they shall</p>
<p>Purchase of bonds.</p>	

invest the moneys collected for retiring said bonds in safe interest-bearing securities until the maturity of said bonds.

A. D. 1890.

SEC. 7. That as fast as said coupons are paid and said bonds may be purchased or paid, they shall be canceled by the Town Clerk and Treasurer in the presence of the Town Council and filed, and a registry of such bonds as are purchased or paid and canceled shall be kept by the said Clerk and Treasurer.

Investment of
surplus.
Cancellation
of coupons.

Registry.

SEC. 8. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing
clauses.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE EASTERN, BARNWELL AND WESTERN RAILROAD COMPANY."

No. 485.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Eastern, Barnwell and Western Railroad Company," approved December 24th, 1887, and any amendment thereof, be, and the same is hereby, amended, by striking out therefrom the whole of Section 1, after the enacting words, and Section 16, and inserting in lieu thereof the following:

A. A. 1887,
19 Stat., 920,
amended.

SECTION 1. That the formation of a corporate company is hereby authorized for the construction and operation of a railroad from Charleston, through the Counties of Charleston, Berkeley, Colleton and Hampton, to some point on the boundary line of the State of South Carolina on the Savannah River, as the company, when formed, may determine upon; with the privilege also of extending the same, or a branch thereof, through the Counties of Barnwell and Aiken, to some point on the boundary line of the State of South Carolina on the Savannah River between Hamburg and Brown's Landing, as the company, when formed, may determine upon, which said company shall have the exclusive right to construct and operate such railroad or any portion or section thereof.

Route of road.

Branches.

Exclusive
rights.

A. D. 1890.

When work
must be begun.
See ante 690.

SECTION 16. That the construction of said railroad shall be commenced prior to the 31st day of December, Anno Domini eighteen hundred and ninety-two, and in default thereof this Act shall have no further force and effect.

Approved December 23d, A. D. 1890.

No. 486. AN ACT TO INCORPORATE THE GREENVILLE AND PARIS MOUNTAIN RAILWAY LINE, HOTEL AND REAL ESTATE COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. B. F. Perry, J. P. Latimer, T. Q. Donaldson, H. C. Markley and J. C. Smith, and such other persons as they may associate with them, be, and they are hereby, declared a body politic and corporate, by the name of the Greenville and Paris Mountain Railway Line, Hotel and Real Estate Company.

Incorporation and name.

Rights and powers. SEC. 2. That said company shall in its corporate name have the right to sue and be sued, plead and be impleaded, in all the Courts of this State; may use a common seal and make such by-laws as the Directors may agree upon for the government of said company, provided said by-laws are not contrary to the laws of South Carolina.

Capital stock. SEC. 3. That the capital stock of said company shall not be more than three hundred thousand dollars, and less than twenty-five thousand dollars, to be subscribed in shares of twenty-five dollars each, at such times and places as a majority of said cor-

How payable. porators may agree upon. The capital stock may be subscribed either in land, money or other personal property; and whenever the capital stock shall amount in value to the sum of twenty-five thousand dollars by such subscriptions, the corporators shall by an advertisement of fifteen days in a newspaper published in the City of Greenville, to call the stockholders to meet at a time and a place to be named therein, for the purpose

Organisation. of organizing said company; that at such meeting the said stockholders shall elect nine Directors to manage and control the affairs of said company; that of said Directors, they shall

choose a President and Secretary, whose duties, term of office and bonds shall be prescribed in the by-laws of said company. A. D. 1890.

SEC. 4. That said company when thus organized shall have the right to build a line of railway, with such gauge of track as the Directors may think proper, from the City of Greenville to Paris Mountain in Greenville County, and thence back to said city by such route or routes as the Directors, or a majority of them, may select; to carry passengers and freight over said railway in such carriages at such rates as the Directors may determine upon, and operate the same with either steam, electricity or horse power. President,
Directors and
Secretary.
Route and
gauge.

SEC. 5. That said company shall have the power to build at either terminus of said railway, or upon its line, hotel or hotels of such material and capacity as their business will warrant, to buy and hold, sell and convey real estate: *Provided*, That the aggregate value of the said railway, hotel and real estate property shall not at any time exceed the capital stock limited herein. Transportation
powers.

SEC. 6. That said company shall have all the rights conferred in Sections 1550 to 1561 inclusive in reference to the manner of acquiring the rights of way. Hotels.

SEC. 7. That the liability of any stockholder to the creditors of said company shall not exceed ten per cent. beyond the par value of his or her share or shares in said company. Limit to prop-
erty holdings.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE GREENWOOD, EDGEFIELD AND ATLANTIC RAILROAD COMPANY. No. 487.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting, and by the authority of the same, That Thos. F. Riley, John C. Maxwell, J. R. Durst, J. W. Green, R. W. Major, G. A. Barksdale, W. L. Durst, Joel S. Bailey, A. St. C. Lee, B. Reynolds, A. Rosenberg, J. O. Nickles, W. K. Blake, D. C. Dupre, B. W. Cobb, E. S. F. Giles, D. A. P. Jordon, T. W. Childs, W. J. Ready, O. Sheppard, R. B. Watson, J. H. Hughey and G. M. Kinard, and such other persons or corporators as may be Liability of
stockholders.

Corporators.

<p>A. D. 1890.</p> <p>Incorporation and name.</p>	<p>associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of The Greenwood, Edgefield and Atlantic Railroad Company, and by that name may sue and be sued, plead</p>
<p>Rights and powers.</p>	<p>and be impleaded, in any Court of law and equity in this State or in the United States; may make by-laws and appoint all necessary officers and prescribe their duties, and may accept,</p>
<p>Property rights.</p>	<p>purchase, hold, lease, or otherwise acquire, any property, real or personal, necessary or convenient to and for the purposes hereinafter mentioned, and to use, sell and convey and dispose of the same as the interest of the said company requires; may</p>
<p>Other rights.</p>	<p>make contracts, have and use a common seal, do all other lawful acts properly incident to and connected with said corporation and necessary and convenient for the control and transaction of its business: <i>Provided</i>, That their by-laws be not repugnant to the Constitution and laws of this State or of the United States.</p>
<p>Route of road.</p>	<p>SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad extending from Greenwood, in Abbeville County, through Edgefield County to Charleston, Port Royal, Savannah, Georgia, or some other point on the Atlantic Coast, to be selected by the President and Directors of said company.</p>
<p>Capital stock.</p>	<p>SEC. 3. That the capital stock of said company shall be ten thousand dollars, in shares of twenty-five dollars each, with the privilege of increasing the capital stock in such amounts as said company may by a majority vote of stockholders determine, to carry out the purposes of this Act, said capital stock not to exceed, however, the sum of one million dollars, and such shares</p>
<p>Limit.</p>	<p>to be transferable in such manner as the by-laws may direct. That when the sum of five thousand dollars shall have been subscribed to the capital stock of said company the said corporation, or any twelve or more of them, shall within a reasonable</p>
<p>Organization.</p>	<p>time thereafter, at a meeting of the corporators called as hereinafter directed, appoint a time and place for the meeting of</p>
<p>Notice to be given.</p>	<p>said stockholders, of which thirty days' notice shall be given in such newspapers of the State as they may deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of a President and</p>
<p>President and Directors.</p>	<p>eight Directors, who shall hold their offices for one year, and until their successors are elected, which shall be the first Board of Directors, and which Board may in their by-laws prescribe the time and manner of holding their subsequent annual election</p>

for President and Directors, subject to the approval of the stockholders at their ensuing annual meeting.

A. D. 1890.

SEC. 4. That for the purpose of raising the capital stock of the said company hereby incorporated, it shall be lawful to open books of subscription at such times and places and under the direction of such persons as the said corporators may appoint, and that said subscription to said capital stock may be made in land, money, bonds, machinery, material and work, at such rates as may be agreed upon with said company; and said company shall have power to mortgage its property and franchises, and issue bonds, on such terms and conditions and for such purposes and uses of said corporation as the said company may from time to time deem necessary.

Books of subscription.

Stock subscriptions.

Bonds and mortgages.

SEC. 5. That this company shall enjoy the benefits and be subject to the provisions of Sections 1550 to 1561, inclusive, of Chapter 40 of the General Statutes of South Carolina, with respect to the manner of acquiring lands or the right of way over lands required by it.

Rights of way.

SEC. 6. That the said company shall have full power and authority to connect with or cross any other railroad or railroads on its proposed line, and also to purchase, lease or consolidate with any other railroad or railroads in or out of the State in such manner and upon such terms as may be agreed between such railroad companies: *Provided*, That the same be not inconsistent with the laws of this State: *And provided, further*, That upon the consolidation, purchase or lease by said company of any other railroad now chartered, or hereafter to be chartered, between any points through which said railroad hereby incorporated may run under this charter, the route of the other such railroad may be the route of the said Greenwood, Edgefield and Atlantic Railroad Company of South Carolina.

Connecting or crossing lines.

Purchase, lease and consolidation.

Route of consolidated roads.

SEC. 7. That the said railroad company is further authorized and empowered forthwith upon the completion or acquirement by purchase, lease or consolidation as hereinbefore provided of any portion or section of said railroad between any points through which the same may run under this charter to operate and maintain such portion or section, with all the rights, powers and privileges hereby granted this company.

May operate completed sections.

SEC. 8. That the said railroad company shall have every right and privilege and power conferred by the general law of this State for the purpose of acquiring such lands or rights of

Rights of general law, as to rights of way, depots, process, &c.

A. D. 1890.

way as they may require for the location or construction of the said railroad, or for the erection or location of depots, warehouses, stations or other necessary establishments, or for extending or altering the same, and the said company shall have the benefit of every process or proceeding, and shall be subject to all the restrictions provided or imposed by the laws of this State.

Public Act.

Duration.

Proviso.

SEC. 9. That this Act shall be a public Act, to take effect after its passage, and shall continue in force for thirty years : *Provided*, This charter shall cease and determine unless construction of said railroad is commenced on or before the first of January, 1892, and completed on or before the first of January, 1898.

Approved December 24th, A. D. 1890.

No. 488. AN ACT TO INCORPORATE THE HIGHLAND RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That *Incorporation.* J. T. Newberry, Gwin H. Nixon, Fred T. Lockhart and Nathaniel W. Armstrong, and all such persons or corporations as they may associate with themselves, and their successors and assigns, are hereby made and constituted a body politic and corporate, under the name and style of the "Highland Railroad Company," for the purpose of establishing and operating a railroad to run from some point on the Savannah River opposite the City of Augusta, Georgia, four miles Northward and seven miles Westward, and with privilege of using steam, electricity or other motor power.

Name and route.

Capital stock.

SEC. 2. That the capital stock of said company shall be ten thousand dollars, with the privilege of increasing said capital stock to such an amount as may be found necessary to construct and equip the said railroad and carry on the business of the company, not to exceed in the aggregate one hundred and fifty thousand dollars ; said capital stock to be divided into shares of

Limit.
Shares.

one hundred dollars each, and each shareholder to have the right of one vote for each share of stock held by him.

A. D. 1890.

SEC. 3. The said corporation shall be entitled to all the powers and franchises given, and subject to all the restrictions and liabilities imposed, by the provisions of an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved 23d day of December, A. D. 1885, as fully as if the same were herein specifically repeated: *Provided*, Said railroad shall build and equip five miles of its said line within five years after the passage of this Act, otherwise said Act to be null and void.

Powers and liabilities.

19 Stat., 171.

When to be completed.

SEC. 4. The duration of the charter hereby given shall be thirty years.

Duration.

SEC. 5. This Act shall be deemed a public Act, and take effect immediately on its passage.

Public Act. When to take effect.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE LATTA TRAMWAY AND MILL No. 489. COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Lot B. Rogers, David N. Bethea, B. G. Smith, S. E. Smith, A. J. Cottingham, H. M. Stackhouse, James Norton, T. C. Moody and C. P. Townsend, and such other persons as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate.

Corporators.

Incorporation.

SEC. 2. That the name and style of the said company shall be the Latta Tramway and Mill Company.

Name.

SEC. 3. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place of meeting of said stockholders, of which fifteen days' notice shall be given by advertisement in the Pee Dee Index, in Marion County, at which time and place of meeting the said stockholders may proceed to the organization of said company by the election of such

Organization.

Notice to be given.

<p>A. D. 1890.</p> <p>Capital stock.</p> <p>Limit.</p> <p>Subscriptions.</p>	<p>officers as the said stockholders may determine; that the capital stock of said company may be increased from time to time, as the stockholders may determine, to any sum not exceeding five hundred thousand dollars, subscription to which may be in money or other property; such capital stock shall be in shares of one hundred dollars each, and may be transferable in such manner as the by-laws may direct.</p>
<p>Tramway authorized.</p> <p>Route.</p>	<p>SEC. 4. Said company shall have power and authority to locate, build, equip and operate a tramway, or tramroad, with steel, iron or wooden rails, of such gauge as said company may adopt, from Latta, in Marion County, through Marion and Marlborough Counties to the North Carolina State line; and, also, to extend the same from Latta, in a Southeasterly direction, to deep water on the Pee Dee River, or on the Waccamaw River, and thence through Horry County towards deep water on the Atlantic Ocean, and to this end said company shall have all the corporate rights, powers and privileges, and be subject to all the liabilities, provisions and limitations, contained in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, A. D. 1885.</p>
<p>Rights and liabilities.</p> <p>19 Stat., 171.</p> <p>Other industries.</p>	<p>SEC. 5. Said company shall have power to contract, own, operate, sell, transfer at pleasure and manage in connection with as feeders to said tramway, saw mills, grist mills, planing machines, drying kilns and other machinery for the manufacture and dressing of lumber, and to deal in lumber, grain, and the products of either, and to operate and own machine and wood shops, to manufacture or repair machinery and its appurtenances for said company, and for the general public.</p>
<p>Public Act.</p> <p>Duration.</p>	<p>SEC. 6. That this Act shall be a public Act, and shall take effect from its passage, and remain in force for the term of forty years.</p> <p>Approved December 24th, A. D. 1890.</p>

No. 490. AN ACT TO INCORPORATE THE LITTLE BLUFF, RAEMONT AND MAXTON RAILWAY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That S. W. Parham, A. J. Cottingham, W. E. Croom, Murdock McRae and John H. Inglis, their associates, successors and assigns, be, and the same are hereby, made and declared a body politic and corporate by the name and style of the Little Bluff, Raemont and Maxton Railway Company, for the purpose of locating, constructing, maintaining, equipping and operating a railway from Little Bluff on the Pee Dee River to a point called Raemont on the line between the States of North and South Carolina.

A. D. 1890.

Incorporation.

Name and purposes.

SEC. 2. That the said the Little Bluff, Raemont and Maxton Railway Company be, and the same is hereby, empowered, with the consent of the authorities of the State of North Carolina, to extend its road to such point or points within the last mentioned State as it may select.

Extension into North Carolina.

SEC. 3. That the said company shall have power to build its road by such route as it may deem most advantageous and expedient, and to be secure in the exclusive right and title to its right of way for its own proper use and behoof, and against the right, claim or use of any other person or persons whatsoever claiming the privilege of using the same without the consent of said company.

Route and right of way.

SEC. 4. That the said the Little Bluff, Raemont and Maxton Railway Company shall have perpetual succession and a common seal, which it may renew or alter at pleasure, and is hereby invested as a corporation with all the rights, powers and privileges, and subject to all the duties and liabilities, incident at common law or conferred or imposed by the Statutes of South Carolina.

Rights and liabilities.

SEC. 5. That the said company shall have power to acquire, either by subscription to the capital stock, or by donation, or by both, lands, moneys, bonds, labor, work, material or other means available for its purposes, and to receive subscriptions from individuals; and the said company shall also have power to sell, lease or otherwise dispose of any lands or properties acquired under this Section.

Donations and subscriptions.

Powers of sale.

SEC. 6. That the said company shall have power to run, use, operate and control, by lease or otherwise, any railroad or other transportation line upon such terms as may be agreed upon with the company or companies owning the same, and such company or companies with which it may make such contract or contracts are hereby empowered, in like manner, to carry out the same; and it shall, furthermore, be lawful for any transportation com-

May lease or control other lines.

Other companies authorized to aid.

A. D. 1800.

pany chartered by the laws of this or other States, or for any city, town or County, to aid in the construction of said railway, and for that purpose may subscribe to the capital stock or may acquire the lands of said company.

Capital stock.

SEC. 7. That the capital stock of said company shall be one hundred and sixty thousand dollars, divided into shares of one hundred dollars each; that in all meetings of stockholders each share shall be entitled to one vote, and that said company may, with the concurrence of two-thirds in value of all its stock, increase the capital stock from time to time to an amount necessary for constructing and operating its railway, not to exceed five hundred thousand dollars, such increase to be made at a regular meeting or at a meeting called for that purpose, at such place or places and upon such notice as may be necessary and proper in order that two-thirds in value of all the stock shall be represented at such meeting.

Increase.

Limt.

Bonds, mortgages, &c.

SEC. 8. That the said The Little Bluff, Raemont and Maxton Railway Company shall have power to borrow money to such an amount as it may deem proper or necessary, and to issue for any loan debentures or bonds of the company bearing interest at such rate per annum as the company may determine, not to exceed the legal rate of interest in this State; and to secure the payment of such loan or loans, said company may execute one or more mortgages or deeds of trust on the whole or any part of its property, real, personal and mixed, its charter rights, franchises and income.

Powers of corporators.

SEC. 9. That the corporators herein mentioned shall have the power and authority of a President and Board of Directors for the purpose of the organization of said company, and for all other purposes, until a President and Board of Directors shall be selected at a stockholders' meeting, and such meetings shall be held after such notice as the said corporators may deem proper; whenever ten thousand (\$10,000) dollars of the capital stock of said company have been subscribed, the said corporators may elect one of their number Chairman and shall have the power and authority of President of said company, and in all matters a majority of said corporators shall control.

When to commence and complete work.

SEC. 10. That the said The Little Bluff, Raemont and Maxton Railway Company shall commence the work under this Act within two years, and complete the same within ten years from the passage of this Act, otherwise this Act shall be null and void.

SEC. 11. That this Act shall be deemed and taken a public Act, and shall go into effect immediately upon and after its passage, and continue in force for thirty years.

A. D. 1890.

Public Act.
Duration.

Approved December 20th, A. D. 1890.

AN ACT TO INCORPORATE THE LOCKHART SHOALS RAILWAY No. 491.
COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized for the construction and operation of a railroad from some point on the line of the Spartanburg, Union and Columbia Railroad, between the Town of Jonesville and the Town of Union, S. C., by such route as may be deemed most practicable, to Lockhart Shoals, on Broad River, and to connect said Lockhart Shoals by a line of railway with any of the railroad lines which are now being built, or which are now chartered to be constructed, and passing near said Lockhart Shoals.

Incorporation.

Route.

SEC. 2. That this charter, with its rights and privileges incident thereto, is hereby granted to Joseph Walker, C. D. Farrar, V. E. McBee, A. H. Foster, C. E. Fleming and D. R. Duncan, and such other persons or corporations as may be associated with them, and their successors and assigns; and that the said company shall have all the rights, powers and privileges, and be subject to all liabilities, provisions and limitations, set forth in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, 1885.

Corporators.

Rights and
Liabilities.

19 Stat., 171.

SEC. 3. That the name of said company shall be the Lockhart Shoals Railway Company.

Name.

SEC. 4. That the capital stock of said company shall be one hundred thousand dollars, in shares of one hundred dollars each, with the privilege of increasing such capital stock in such amounts as the said company from time to time may, by a majority vote of its stockholders, determine, to carry out the pur-

Capital stock.

- A. D. 1890. poses of this Act: *Provided*, That the said capital stock shall
 Limit. at no time exceed the sum of five million dollars.
- Organisation. SEC. 5. That when the sum of five thousand dollars shall have
 been subscribed to the capital stock of said company, the said
 corporators, or a majority of them, shall, within a reasonable
 time thereafter, appoint a time and place for a meeting of said
 Notice to be stockholders, of which fifteen days' notice shall be given in such
 given. newspapers of this State as they deem necessary, at which time
 and place the said stockholders may proceed to the organization
 of said company, by the election of not less than three nor more
 President and than thirteen Directors, as the by-laws to be adopted may deter-
 Directors. mine, which said Directors shall elect one of their number to
 be the President of the said company. The said Board of Di-
 rectors and the said President so elected shall hold their offices
 Term of office. for one year, and until their successors be elected.
- Consolidation. SEC. 6. That any lease, transfer or consolidation of the com-
 pany hereby incorporated shall be submitted to a meeting of the
 stockholders, and be ratified by a majority of the said stock-
 holders, before the same shall be legal or binding.
- May cross roads, rivers, &c SEC. 7. That the said company shall have power, if need be,
 to conduct their railroad across and over any public road, river,
 creek, water or water courses that may be in their route: *Pro-
 vided*, That the passage of the roads or the navigation of the
 waters be not obstructed thereby.
- Branch roads. SEC. 8. That the said railroad company shall have the right,
 and they are hereby authorized and empowered, to construct and
 operate branch roads from their main line whenever in their
 judgment it is their interest to do so.
- May operate completed sec- SEC. 9. That the said railroad company is further authorized
 tions. and empowered forthwith upon the completion or acquirement
 by purchase, lease or consolidation as hereinbefore provided of
 any portion or section of said railroad between any point through
 which the same may run under this charter to operate and
 maintain such portion or section, with all the rights, powers
 and privileges hereby granted to said company.
- Right of way. SEC. 10. That said railroad company may have the right to
 take for its right of way one hundred feet on each side of the
 centre of their road-bed.
- Public Act. SEC. 11. That this Act shall be held and deemed a public
 Act, and the rights, powers and privileges conferred by this
 Act shall vest and continue in the said company and their suc-

cessors for and during the term of forty (40) years, to be computed from the time of the approval of this Act.

A. D. 1890.

SEC. 12. That the construction of said railroad shall be commenced within three years from the passage of this Act, otherwise the same shall have no force and effect.

Duration.
When work
must be com-
menced.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE THE MACON AND ATLANTIC RAIL- No. 492.
WAY COMPANY, A CORPORATION EXISTING AND ORGAN-
IZED UNDER THE LAWS OF THE STATE OF GEORGIA, TO
EXTEND ITS LINE OF RAILWAY INTO THE STATE OF
SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Macon and Atlantic Railway Company, a corporation existing and duly organized under the laws of the State of Georgia, is hereby authorized and empowered to extend, construct and operate its line of railway from such point on the State of South Carolina's boundary line on the Savannah River in Beaufort or Hampton County, as the company may determine upon, through the Counties of Hampton and Beaufort, both or either of them, to some point on the Atlantic Coast in Beaufort County, in said State of South Carolina, as may hereafter be determined upon by said company; and that the said company shall have all the rights, powers and privileges, and be subject to all liabilities, provisions and limitations, set forth in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, 1885.

Authorized to
extend into this
State.

Route.

Rights and
liabilities.
19 Stat., 171.

SEC. 2. That the name of said company shall be The Macon and Atlantic Railway Company; that the capital stock of said company shall be at the rate of fifteen thousand dollars (\$15,000) per mile for each mile of railway laid out and located in said State, with the privilege of increasing such capital stock in such amounts as said company shall, from time to time, by a majority vote of its stockholders, determine, to carry out the

Name.

Capital stock.

- A. D. 1890.** purposes of said Act : *Provided*, That the capital stock shall at no time exceed the amount of five million dollars.
- Limit.**
Lease, sale or consolidation. SEC. 3. That any lease, sale, transfer or consolidation of the company hereby authorized to be built and extended shall be submitted to a meeting of the stockholders and be ratified by a majority of the said stockholders who have subscribed to said capital stock at the date of such submission of lease, sale, transfer or consolidation before the same shall be legal or binding.
- Tracks in streets and to wharves.** SEC. 4. That the said railroad company be, and the same is hereby, authorized and empowered, by and with the consent of the Council of any towns or cities through which it may pass, or at which its road may terminate, to construct its tracks through one or more of the public streets or ways of such towns or cities, and to extend the same to any or all of the wharves or landings in such towns or cities : *Provided*, That in such constructions and extension all necessary precaution in extending the work to be taken not to obstruct or otherwise impair the use of any street or public way through which the said railroad may be constructed or extended.
- Proviso.** SEC. 5. That the said railroad company is further authorized and empowered forthwith upon the completion or acquirement by purchase, lease or consolidation as herebefore provided of any portion or section of said railroad between any points through which the same may run under this charter to operate and maintain such portion or section, with all the rights, powers and privileges hereby granted to said company.
- May operate completed sections.** SEC. 6. That said railroad company may have the right to take for its right of way one hundred feet on each side of the centre of their road-bed : *Provided*, The same be condemned according to existing laws.
- Rights of way.** SEC. 7. The said company is also authorized and empowered to build, purchase, own, hold, use, sell or otherwise dispose of steamships, steamboats and sailing vessels, in connection with its railroad transportation, so as to carry on the business of a general through coastwise and foreign transportation to and from any point of its lines and connections ; and with the consent of the riparian owners to erect, maintain and use landings and wharves on any of the navigable waters of the State.
- Vessels.** SEC. 8. That nothing in this Act shall be so construed as to affect the jurisdiction of the Courts of South Carolina with reference to the said company, but it shall be subject to sue and be sued in said Courts as a domestic corporation.
- Marine transportation.**
- Wharves.**
- Domestic corporation.**

SEC. 9. That this Act shall be held and deemed a public Act, and the rights, powers and privileges conferred by this Act shall vest and continue in said company and its successors for and during the term of sixty years, to be computed from the time of the approval of this Act.

A. D. 1890.

Public Act.

Duration.

SEC. 10. That this Act shall be subject to all of the provisions of Section 1361 of the General Statutes of the State of South Carolina.

Subject to amendment or repeal.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE MOUNT PLEASANT AND SEAVIEW CITY RAILROAD COMPANY," APPROVED DECEMBER 24TH, 1885.

No. 493.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to incorporate the Mount Pleasant and Seaview City Railroad Company," approved December 24th, 1885, be amended by adding thereto the following as additional Sections :

A. A. 1885,
19 Stat., 246,
amended.

SECTION 17. And the said corporation shall have full power and authority to carry on and conduct the business of using electricity for any purpose, and for manufacturing light, heat and power, or either or all of them, by electricity, on the line of the said railroad ; and to furnish the inhabitants of Mount Pleasant, Moultrieville and Seaview City with light, heat and power, or either of them, by electricity ; and for lighting the streets, roads and public grounds and buildings of the said towns, and to furnish power for railroad cars and all other transportation or industrial purposes ; and for such purpose to erect, or lay, all necessary poles, pipes and conductors, subject to proper municipal ordinance and restriction. And the said corporation shall have full power and authority to erect shops and such other buildings as may be necessary or conducive to the purposes aforesaid.

May use electricity.


May furnish light, heat and power.

Poles and pipes. Municipal control.

Shops.

SECTION 18. That the period prescribed by the eleventh Section of said Act for the completion and operation of the said

Completion of road.

A. D. 1890.  railroad through the Town of Mount Pleasant, and the building of a bridge connecting the Towns of Mount Pleasant and Moultrieville, be extended to the first day of May which will be in the year one thousand eight hundred and ninety-three ; and the grant of "Seaview City," dependent thereon, is hereby renewed.

Grant of Seaview City.

Approved December 20th, A. D. 1890.

No. 494. AN ACT TO INCORPORATE THE PICKENS RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. S. D. Stewart, J. D. Smith, J. P. Carey, M. W. Newton, W. R. Price, J. K. Kirksey, J. M. Stewart and Julius E. Boggs, and their associates and successors, are hereby constituted a body

Name. politic and corporate by the name of the Pickens Railroad Company.

Route of road. SEC. 2. That the said company is hereby authorized to construct a railroad from Pickens Court House, in the County of Pickens, to some point on the Atlanta and Charlotte Air Line Railroad, by such route as shall be found most suitable and advantageous, with power and authority to extend such railroad to the City of Anderson, in the County of Anderson, by such route as shall be found most suitable and advantageous, the precise line to be determined upon by the incorporators after the necessary surveys shall have been made.

Capital stock. SEC. 3. That the capital stock of said company shall be thirty-five thousand dollars, with privilege of increasing said capital stock to such amount as may be found necessary to construct and equip the said railroad, not to exceed one million dollars, said capital stock to be divided into shares of one hundred dollars each ; and for the purpose of raising the capital stock it shall be lawful to open books of subscription at such time and places, to keep them open for such periods of time and under the direction of such persons, as may be determined on by a majority of said incorporators. That subscriptions may be made in labor, material, lands, or money, at such rates and on such terms as may be agreed upon at the time of subscription, and

Limit.

Books of subscription.

How subscriptions are payable.

that all amounts so subscribed, either in labor or material, lands or money, shall constitute the joint stock capital for the purpose of constructing and carrying into operation the railroad provided for herein; and the said railroad company shall have power to mortgage its property and franchises and to issue bonds on such terms and conditions, and for such uses and purposes of said corporation, as the Board of Directors thereof may deem expedient: *Provided*, That said company may purchase and hold all real and personal estate necessary for the construction of the road and for conducting the business of said company: *And provided, further*, That it may proceed to business under this charter as soon as the sum of ten thousand dollars is subscribed to its capital stock.

A. D. 1890.

Bonds, and mortgages.

Property rights.

When to organize.

SEC. 4. That said railroad company shall be entitled to the provisions of the law appertaining to railroads and railroad companies generally in this State: *Provided*, That said railroad company shall commence work within three years, and build and equip two miles of its line within five years after the passage of this Act, otherwise said Act to be null and void.

Subject to general law.

Proviso as to duration of charter.

SEC. 5. That this Act shall be deemed a public Act and take effect immediately after its passage.

Public Act.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE RIVER AND SEA COAST RAILWAY COMPANY. No. 495.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph A. Huger, Jr., J. Heyward Lynah, R. H. Elliott, T. T. Hillman, James G. Verdier and J. W. Worthington, and such other persons or corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of the River and Sea Coast Railway Company, and by that name may sue and be sued, plead and be impleaded, in any Court of law and equity in this State or in the United States; may make by-laws and appoint all necessary officers and prescribe their duties, and may

Corporators.

Incorporation.
Powers.

- A. D. 1890.** accept, purchase, hold, lease, or otherwise acquire, any property, real or personal, necessary or convenient to and for the purposes hereinafter mentioned, and to use, sell and convey and dispose of the same as the interest of the said company requires; may
- Property rights.** **Other rights.** make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with said corporation and necessary and convenient for the control and protection of its business: *Provided*, That their by-laws be not repugnant to the Constitution and laws of this State or of the United States.
- Proviso.**
- Route of road.** SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad with one or more tracks, as it may deem best, extending from some point on the Savannah River in the County of Hampton or Beaufort to some point on or near "Foot Point," on the sea coast of this State, in the said County of Beaufort, and to use for this purpose such route or routes as may by said company be deemed to be most practicable and advisable.
- Capital stock.** SEC. 3. That the capital stock of said company shall be one hundred thousand dollars, in shares of one hundred dollars each, with the privilege from time to time of increasing the capital stock in such amounts as said company may by a majority vote of the stockholders determine to carry out the purposes of this Act, said capital stock not to exceed, however, the sum of two million dollars, and such shares to be transferable
- Limit.** in such manner as the by-laws may direct. That when the sum of one hundred thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place for the meeting of said stockholders, of which ten days' notice shall be given in such newspapers of the State as they may deem necessary, at which time and place the said stockholders may proceed to the organization of said
- Organization.** company by the election of a President and as many Directors as they may deem proper, who shall hold their offices for one
- Notice to be given.** year, and until their successors are elected, which shall be the first Board of Directors.
- President and Directors.**
- Term of office.**
- Books of subscription.** SEC. 4. That for the purpose of raising the capital stock of the said company hereby incorporated it shall be lawful to open books of subscription at such times and places and under the direction of such persons as the said corporators or a majority of them may appoint, and that said subscription to said capital

stock may be made in land, money, bonds, machinery, materials and work, at such rates as may be agreed upon with said company; and said company shall have power to mortgage its property and franchises and issue bonds on such terms and conditions and for such purposes and uses of said corporation as the said company may from time to time deem necessary.

A. D. 1890.

How stock is payable.

Bonds and mortgages.

SEC. 5. That the said railroad company shall have every right, power and privilege necessary for the purpose of acquiring, by condemnation or otherwise, such lands or rights of way as they may require for the location or construction of said railroad, or for the erection or location of depots, warehouses, stations, wharves and other necessary and convenient establishments, or for extending or altering the same; and said company shall, for the purpose of carrying into effect each and every of the provisions of this Section, have the benefit of every process or proceeding, and shall be subject to all the restrictions, provided or imposed by the laws of the State by and under which railroad corporations are authorized to acquire lands for the purpose of rights of way.

Rights of way.

Depots, wharves, &c.

May proceed under general laws.

SEC. 6. That the said company shall have full power and authority to connect with or cross any other railroad or railroads on its proposed line, and also to purchase, lease or consolidate with any other railroad or railroads in or out of this State, in such manner and upon such terms as may be agreed between such railroad companies: *Provided*, That the same be not inconsistent with the laws of this State: *And provided, further*, That upon the consolidation, purchase or lease by said company of any other railroad now chartered or hereafter to be chartered between any points through which said railroad hereby incorporated may run under this charter, the route of the other such railroad may be the route of the said River and Sea Coast Railway Company between such points in lieu and stead of the route that may be established under this Act as the route between such points.

Rights as to other roads.

Route of consolidated roads.

SEC. 7. The said River and Sea Coast Railway Company is hereby authorized and empowered to erect and construct at any point in the County of Beaufort, or elsewhere, on such lands as it may own or acquire, wharves, piers, docks, basins, warehouses, elevators and cotton presses, together with the approaches thereto, suitable for the accommodation of steamships, vessels and boats, and for the convenient loading, unloading, shipping, receiving, storing and warehousing of all kinds of merchandise

May erect wharves, piers, elevators, &c.

A. D. 1890.

May act as
warehousemen,
wharfingers, &c.

and personal property, and may conduct the business usually conducted by warehousemen, wharfingers and lightermen, and may charge and collect compensation for the storage, dockage, wharfage, lighterage and all labor incident thereto, including the expense of weighing, insuring, storing and delivering such merchandise.

May own and
operate vessels.

SEC. 8. The said River and Sea Coast Railway Company is hereby authorized and empowered to construct, equip, purchase, charter, own and navigate vessels propelled by steam or other motive power, and to use the same in the transportation of merchandise, passengers and mails between any port or ports of this State and any port or ports of the United States or elsewhere.

May operate
completed sec-
tions.

SEC. 9. That the said railroad company is further authorized and empowered forthwith upon the completion or acquirement by purchase, lease or consolidation as hereinbefore provided of any portion or section of said railroad between any points through which the same may run under this charter to operate and maintain such portion or section, with all the rights, powers and privileges hereby granted this company.

Liability of
stockholders.

SEC. 10. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That

Provisoes.

Executors,
trustees, &c.

persons holding stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate or the ward or person interested in such trust fund would have been if they had respectively been living and competent to act and hold the stock in their own names.

May cross
roads, rivers, &c

SEC. 11. That the said company shall have power, if need be, to conduct their railroad along or across any public road, river, creek, water or water courses that may be in their route: *Pro-*

vided, That the passage of the roads or the navigation of the waters be not obstructed thereby.

A. D. 1890.

SEC. 12. That the said railroad company be, and the same is hereby, authorized and empowered, by and with the consent of the Council of any town or cities through which they may pass, or at which their road may terminate, to construct their tracks through one or more of the public streets or ways of such towns or cities, and to extend the same to any or all of the wharves or landings in such towns or cities: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any street or public way through which the said railroad may be constructed or extended.

Rights as to streets and wharves.

Proviso.

SEC. 13. That the said railroad company may have the right to take for its right of way one hundred feet on each side of the centre of their road-bed: *Provided*, That the same be condemned according to existing laws.

Right of way.

SEC. 14. If any stockholder shall fail to pay any installment thereafter required of him on his share or shares by the President and Directors or a majority of them within one month after the call for the same has been made and advertised in any one or more of the papers published in this State, it shall and may be lawful for the President and Directors or a majority of them to sell at public auction and convey to the purchasers the share or shares of such stockholders so failing or refusing to pay, giving twenty days' notice of the time and place of such sale by advertisement in any paper published in this State, and after retaining the sums due and all expenses incident to the sale shall pay the surplus to the former owner or his legal representative, and any purchaser of the stock of the company under the sale of the President and Directors as aforesaid shall be subject to the same rules and regulations as the original proprietor.

Delinquent stockholders.

Sale of stock.

Surplus.

Liability of purchaser.

SEC. 15. That this Act shall be held and deemed a public Act, and the rights, powers and privileges conferred by this Act shall vest and continue in said company and their successors for and during the term of fifty years, to be computed from the time of the approval of this Act: *Provided*, That work on the said railroad be commenced within three years and completed within ten years from the approval of this Act, otherwise this Act shall be null and void.

Public Act.

Duration.

Proviso as to construction.

Approved December 20th, A. D. 1890.

A. D. 1890.

AN ACT TO CHARTER THE SALEM RAILROAD COMPANY.

No. 496.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** Thomas Wilson and all such persons or corporations as he may associate with himself, and his and their successors and assigns, is, and are hereby, made and constituted a body politic and corporate, under the name and style of the Salem Railroad Company, for the purpose of establishing and operating a railroad
- Name and route.** commencing at or near a point on the Northeastern Railroad in Williamsburg County one mile North of Cades; thence by the most convenient route to or near to the store of W. D. Gamble on the Western side of Pudding Swamp, in the Township of New Zion, in the County of Clarendon.
- Right of way.** **SEC. 2.** That said railroad shall have for its right of way a strip of the lands over which it may pass extending each side of the centre of its road-bed seventy-five feet.
- Capital stock.** **SEC. 3.** That the capital stock of said railroad company shall be fifty thousand dollars, with the privilege of increasing said capital stock to such an amount as may be found necessary to construct and equip said railroad and carry on the business thereof, not to exceed in the aggregate the sum of fifteen thousand dollars per mile of said railroad; said capital stock to be divided into shares of one hundred dollars each, and each shareholder to have the right of one vote for each share of stock held by him; and for the purpose of raising said capital stock, it
- Limit.** shall be lawful to open books of subscription at such times and places, and to keep them open for such periods of time and under the direction of such persons, as may be determined on by said corporator; and the said railroad company may purchase and hold all real and personal estate necessary or convenient for the construction of the road and for conducting the business of said company, and shall have the power to mortgage its property and franchises and to issue bonds on such terms and conditions and for such uses and purposes of said corporation as the Board of Directors may deem expedient.
- Books of subscription.** **SEC. 4.** That said company shall have the power, if need be, to lay out and construct said railroad and its branches across any public road, railroad, river, creek, water or water course which may be in its route.
- May cross roads, rivers, &c.** **SEC. 5.** That said railroad company shall be entitled to the benefit of the provisions of the General Statutes now of force
- Property rights.**
- Bonds and mortgages.**
- Rights of way.**

as to the manner and means of condemning lands and acquiring the right of way for the purpose of this charter, and shall be entitled to all the powers and franchises given and allowed, and subject to all the restrictions and liabilities provided and imposed, by the provisions of an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved the twenty-third day of December, in the year one thousand eight hundred and eighty-five, as fully as if the same were herein specifically repeated.

SEC. 6. That the duration of this charter shall be thirty years.

Approved December 24th, A. D. 1890.

A. D. 1890.

Rights and
Liabilities.

19 Stat., 171.

Duration.

AN ACT TO CHARTER THE SAVANNAH, SENECA AND WESTERN RAILWAY COMPANY. No. 497.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. C. Cary, M. W. Coleman, L. W. Jordan, S. D. Cherry, W. K. Sharpe, J. A. Gaines, J. C. Harris, W. S. Sharp, J. C. Gantt, N. O. Farmer, J. M. Broyles and W. L. Dobbins, their associates, successors and assigns, be, and they are hereby, constituted a body politic and corporate, by the name and style of the Savannah, Seneca and Western Railway Company.

Corporators.

Incorporation
and name.

SEC. 2. That said company shall have power and authority to build and construct a railroad from some point on the Tugaloo River near Andersonville, thence to Townville, thence to Seneca, and thence to the North Carolina line near Eastatote Gap, as the said company may determine, by the most advantageous route; to acquire by purchase or otherwise, and to hold, own, possess and sell, or otherwise transfer, real and personal estate. Said company shall also have all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of this State.

Route of road.

Property and
other rights.

SEC. 3. That for the purpose of creating the capital stock of said company, which shall not exceed five hundred thousand dollars, the said corporators, or a majority of them, are hereby authorized and empowered, as soon after the passage of this Act

Capital stock.

- A. D. 1890.** as may be deemed advisable, to appoint Commissioners to open books of subscription, at such times and places and under such rules and regulations as may be prescribed ; the capital stock of said company to be divided into shares of twenty dollars each, and the subscription thereto to be payable in money, land, labor, or material necessary in the construction or equipment of said railroad, bonds, stocks or other valuables, credits, in such manner and upon such terms as may be agreed upon between said company and such subscribers.
- Books of subscription.**
- How payable.**
- Rights as to other roads.** SEC. 4. That the said company shall have full power and authority to connect with, or cross, all other railroads on its proposed lines, and also to unite or consolidate with other railroads in or out of the State, in such manner and upon such terms as may be agreed upon between the companies consolidating : *Provided*, The same be not inconsistent with the laws of this State.
- Organisation.** SEC. 5. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said railroad, it shall be the duty of the corporators herein above named, or a majority of them, to call a meeting at Seneca, S. C., after thirty days' public notice, to organize said company ; and said stockholders shall then and thereafter have power to organize the said company by electing from among their number eleven Directors, who shall, immediately after their election, choose one of their number for President of said company, and the term of office of the President and Directors of said company shall be one year, and until their successors shall thereafter be elected.
- President and Directors.**
- Term of office.**
- Who may be Director.** SEC. 6. No person shall be eligible to the office of Director in said company who does not own twenty shares of the capital stock of the same ; and no person shall be entitled to any compensation for representing a township at any meeting of the stockholders of said company.
- No compensation to proxies.**
- Annual reports.** SEC. 7. It shall be the duty of the President and Directors of said railroad company and all officers of the same to render an account of the affairs of the same to the stockholders at least once a year and as often as they may be required by said stockholders, and the same shall be published in one or more of the newspapers of the State.
- Contracting debts.** SEC. 8. The President and Directors of said company shall not have power to contract any debt for said company until they shall have first been authorized by the stockholders in general meeting.

SEC. 9. That said railroad company shall be subject to the provisions of an Act entitled "An Act to declare the manner by which the lands or the right of way over the lands of persons or corporations may be taken for the construction and uses of rail-ways and other works of internal improvements," approved on the 22d day of September, 1868 : *Provided*, That nothing herein contained shall be construed so as to exempt the company from the payment of taxes.

A. D. 1890.

Rights of way.

14 Stat., 80; G. S., §§ 1550-1561.

Liability to taxation.

SEC. 10. That the said railroad shall be commenced within ten years and completed within twenty years from the passage of this Act.

Time for construction.

SEC. 11. This Act shall be deemed a public Act, and shall continue in force for the term of thirty years from the date of its approval.

Public Act.

Duration.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE SOUTH BOUND RAILROAD COMPANY," APPROVED FEBRUARY 9TH, A. D. 1882. No. 498.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the South Bound Railroad Company," approved the 9th February, A. D. 1882, be, and the same is hereby, amended by adding thereto the following provision : That the South Bound Railroad Company shall have the power of extending and constructing its line of road either from a point within or near the limits of the City of Sumter or from a point within or near the limits of the City of Columbia, in the State of South Carolina, to the Northern boundary line between that State and North Carolina to some point on said boundary line leading in the direction of Monroe, in the State of North Carolina.

A. A. 1882,
17 Stat., 949,
amended.Extension of
road to North
Carolina.

SEC. 2. That this Act shall be a public Act, and shall go into effect from the date of its approval.

Public Act.

Approved December 24th, A. D. 1890.

A. D. 1890.

No. 499.

**AN ACT TO INCORPORATE THE SOUTH CAROLINA SEABOARD
AND WESTERN RAILWAY COMPANY.**

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Incorporation.	M. C. Butler, J. Q. Marshall, T. J. Rosser, James G. Gibbes, M. L. Bonham, J. S. Verner, W. G. Childs and Bradley T. Johnson, and such other persons as they may associate with them, and their assigns, be, and they are hereby, created a body politic and corporate, by the name of the South Carolina Seaboard and Western Railway Company, and as such shall have the powers herein granted. That said company may by that name sue and be sued, plead and be impleaded, in any Court in this State. And the said company shall have power and authority to make by-laws and regulations for its government and management; to elect or appoint all necessary officers and prescribe their powers and duties, and to have and use a common seal, which it may change or alter at pleasure. To acquire by purchase, lease or otherwise, and to hold, own, possess, mortgage, lease and sell or otherwise transfer such real, personal and mixed property as may be necessary or convenient to carry out the purposes of this charter, and to have and exercise all and every other power, privilege, franchise and right common or necessary to similar corporations and not inconsistent with the laws of this State or the provisions of this Act.
Name.	
Powers.	
By-laws.	
Officers.	
Seal.	
Property rights.	
Other rights.	
Route of road.	SEC. 2. That the said company be, and is hereby, authorized and empowered to build, construct, maintain and operate a railroad, with one or more tracks, from some point on the South Carolina seacoast in the County of Beaufort to be selected by the President and Directors of said company to the North Carolina line, in either the Counties of Oconee, Pickens or Greenville, as the President and Directors may determine.
Capital stock.	SEC. 3. That the capital stock of said company shall be fifty (\$50,000.00) thousand dollars, and the same be increased from time to time as a majority of the stockholders may determine up to two million (\$2,500,000.00) five hundred thousand dollars. That the stock of said company shall be in shares of one (\$100.00) hundred dollars each, for which certificates shall be issued, and each share shall be entitled to one vote, and the stockholders shall not be individually liable for anything beyond the amounts of their said subscription to the said capital stock.
Limit.	
Stock subscriptions.	
Books of subscription.	The books of subscription shall be opened by the corporators, or

a majority of them, at such times and places, and under such rules and regulations, as they, or a majority of them, may prescribe. That the said corporators, or a majority of them, acting in person or by proxy, after the sum of fifty (\$50,000.00) thousand dollars has been subscribed, shall call a meeting of the subscribers to the said capital stock, for the purpose of completing the organization of company, giving ten days' notice thereof in some paper published in the County of Richland. That at such meeting the stockholders shall elect a Board of Directors consisting of seven (7) members, who shall immediately elect one of their number President of the company.

A. D. 1890.

Organization.

President and Directors.

SEC. 4. That subscriptions to the capital stock of said company may be made in money, land, labor, or materials necessary for the construction or equipment of said road, in bonds, stocks, or other valuable credits, in such manner, and on such terms, as may be agreed upon by the President and Directors of said company.

Subscriptions, in what payable.

SEC. 5. That said company is hereby authorized and empowered to merge and consolidate its capital stock, estate, real, personal and mixed, franchises, rights, privileges and property, with those of any other railroad company or companies chartered by and organized under the laws of this or any other State or States whenever a majority of the stockholders of this company shall so desire, when the two or more railroads so to be merged and consolidated shall and may form a continuous line of railroad with each other, or by means of intervening road or roads; and said consolidation may be effected by its Directors in such manner and on such terms and conditions and under such name and style as a majority of the stockholders may determine or approve, and the number of the Directors of the said consolidated corporation shall consist of not less than seven (7) or more than fifteen (15) persons, as the stockholders may determine. That said Directors, or a majority of them, shall elect a President, and shall appoint such officers and agents as may be deemed necessary; shall establish a common seal and do such other acts as may be necessary for the conduct of the corporation so formed; and the said Directors, or a majority of them, may establish the principal office of said consolidated company at such place on the line of the consolidated company as they may deem best: *Provided*, That the said consolidated company maintains in this State an office or offices and agent or agents upon whom process may be served.

Consolidation with other roads

Manner and terms.

Direction of consolidated company.

President and other officers.

Acts authorized.

Principal office.

Agent to be served with process.

A. D. 1890.

Other corpo-
rations may
take stock, &c.

SEC. 6. That it shall and may be lawful for any railroad or transportation company created by the laws of this or any other State from time to time to subscribe for, purchase or hold the stock and bonds, or either, of this company, or to guarantee or indorse such bonds or stock, or either of them ; and it shall and may be lawful for any railroad or transportation company, or companies, created by the laws of this or any other State, to purchase, use or lease the road, property and franchises of this company for such time and upon such terms as may be agreed upon between this company and such companies or company as shall be parties to the contract. That it shall be lawful for this

Purchase,
lease, &c.

This company
may take stock,
&c., of other
lines.

Purchase,
lease, &c.

Proviso.

company to subscribe to or purchase, and to hold, the stock or bonds, or both, of any other railroad or transportation company chartered by this or any other State, or to guarantee the stock or bonds of any such company, or to purchase, lease or operate the road or line, property or franchise of any such railroad or transportation company : *Provided*, That the road or line of such company shall directly or by means of one or more intersecting roads or lines be connected with the road of this company.

Stockholders'
meetings.

Annual report.

Special meet-
ings.

SEC. 7. That meetings of stockholders shall be held annually at such time and place, either in this or another State, as may be determined by them, and at all annual meetings the President and Directors shall render to the stockholders an account of the affairs of the company. Special meetings of the stockholders may be called by the President, or by a majority of the Directors, by notice mailed to each stockholder, or by publication in one or more newspapers in this State thirty (30) days before said meeting, and notices of annual meetings shall be likewise published.

Officers.

SEC. 8. That the President and Board of Directors of this company shall have the power of appointing a Vice-President, Treasurer, and such other officers and agents as may be necessary for conducting the construction and management of the railroad authorized by this Act. The Directors shall be elected annually by the stockholders, and shall remain in office one year, or until their successors are elected ; and in case of vacancies occurring by death or resignation in the office of Director, the same may be filled by the Directors until the next meeting of the stockholders.

Term of office.

Debts and con-
tracts.

SEC. 9. The President and Directors of said company, under authority from the stockholders, shall have power to make such

expenditures and contract such debts as may be necessary for the construction and operation of the railroad authorized by this Act.

A. D. 1890.

SEC. 10. That authority is given to the said company to borrow money to such extent and in such manner as may be authorized by its stockholders, and to pay thereon such rates of interest, not exceeding seven (7) per cent., as may be deemed advisable, and to issue therefor such bonds, either coupon or registered, or other evidences of debts, in such manner and of such form as may be determined by the President and Directors, and to secure such loans, both as to principal and interest, by such mortgages or deeds of trust on the whole of the property, income and franchises of the company, or either or any part thereof.

Loans.

Bonds and mortgages.

SEC. 11. That this company shall enjoy the benefits and be subject to the provisions of Sections 1550 to 1561 of General Statutes South Carolina, and shall be subject to the General Statutes of South Carolina governing the incorporation of railroads.

Rights of way.

Other laws.

SEC. 12. That the construction of this railroad shall be begun within two (2) years of the passage of this Act.

When to be begun.

SEC. 13. That this Act shall go into effect from and after its ratification.

When to take effect.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE SPARTANBURG, CLIFTON AND GLENDALE RAILROAD COMPANY. No. 500.

Whereas the City Council of Spartanburg has granted unto the corporators hereinafter named the right, privilege and franchise to construct, maintain and operate the railroad hereinafter named, upon and along the streets and alleys of the City of Spartanburg; *and whereas* the County Commissioners of the County of Spartanburg have granted unto same parties the same rights, privileges and franchises upon and along the public roads of said County :

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

<p>A. D. 1890.</p> <p>Corporators.</p>	<p>in General Assembly, and by the authority of the same, That A. H. Leftwich, Geo. E. Ladshaw, H. E. Heinitch, Geo. W. Nicholls, A. E. Moore, Jos. Walker, Jno. B. Cleveland and William King, Jr., their associates, successors and assigns, be, and they are hereby, constituted a body politic and corporate, under the name and style of the Spartanburg, Clifton and Glendale Railroad Company, with all the rights, powers, duties, liabilities and restrictions and privileges incident to such corporations, or which are contained in the Act of the General Assembly entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved 23 Dec., 1885.</p>
<p>19 Stat., 171.</p>	
<p>Route of road.</p>	<p>SEC. 2. That said company shall have power to construct a railroad from the City of Spartanburg to Glendale Factory and Clifton Factory Nos. 1 and 2, and branch lines from Glendale Factory to Trough Shoals Factory, and from Spartanburg City to Whitney Factory, the route to be determined by the said</p>
<p>May cross rivers, roads, &c Branches.</p>	<p>company, with the right to cross any river, stream or other railroad, and to have power to run such other branches from its main trunk to a distance not exceeding forty miles from said main line as they may deem proper.</p>
<p>Capital stock.</p>	<p>SEC. 3. That the capital stock of the said company shall consist of four hundred (400) shares of the par value of one hundred dollars each, amounting in the aggregate to forty thousand dollars, with the privilege to increase the same, at a meeting or meetings of the stockholders to be specially called for that purpose, to any amount not exceeding three hundred thousand dollars; and the incorporators, or a majority of them named in</p>
<p>Limit.</p>	
<p>Books of subscription.</p>	<p>this Act, shall have power to open books for the subscription to the capital stock at such times and places as they may deem expedient, and when not less than two hundred shares have</p>
<p>Organisation.</p>	<p>been subscribed, and when ten per centum of the amount of stock subscribed has been paid in, the stockholders may elect</p>
<p>Directors and their powers.</p>	<p>five or more Directors (not exceeding thirteen) to serve until the ensuing annual election, or until their successors have been duly elected and qualified; and the Directors so elected of said</p>
<p>Rights of stockholders in increase.</p>	<p>company, when it shall have been organized, may, and they are hereby, authorized and empowered to have and to exercise in the name and in the behalf of the company all rights and privileges which are intended to be hereby given; and should the capital stock be at any time increased, the stockholders at the time of such increase shall be entitled to a pro rata share of such increase upon the payment of the par value of the same.</p>

SEC. 4. That the Directors shall be elected annually by the stockholders on the first Monday of November, except the first election, which is provided for in the preceding Section, and shall hold office until their successors are duly elected and qualified; and if at any time it shall happen that an election of Directors shall not be made on the day designated, the corporation shall not for that reason be dissolved, but it shall be lawful on any other day to hold such election in such manner as may be provided by the by-laws of the company. At all such elections, and at all meetings of the stockholders, each share of stock shall be entitled to one vote.

A. D. 1890.
Annual elections.
Term of office.
Postponed meetings.

SEC. 5. That the Directors of said company shall have power from their number to elect a President, and to appoint such other officers, agents and servants as the business of the company may require, to allow them a suitable compensation, require security for the faithful discharge of their duties, and to regulate the terms of office; to make by-laws, not inconsistent with law, for the management of the property and regulation of the affairs of the company, and for the transfer of its stock, for the payment of subscriptions to the stock, for the forfeiture of stock not paid for, and for the disposition of the proceeds thereof, for the calling of regular, special and general meetings of the Directors and of the stockholders of the company, and fixing the place or places where the same may be held, and to provide for all other matters which may be regulated by by-laws, and from time to time to repeal, annul or re-enact the same; and to declare such dividends of profits of the said company as they may deem proper: *Provided*, That no dividend shall be declared when the capital stock would be impaired thereby.

Voting.
President and other officers.
Compensation.
By-laws.
Special meetings.
Dividends.

SEC. 6. That the said company be, and is hereby, authorized and empowered, subject to such conditions and regulations as may have been prescribed by the Mayor and City Council of the City of Spartanburg, to construct, maintain and operate a railway with single or double tracks and turn-outs, turn-tables, side-tracks and switches, as and wherever the same may be necessary or convenient, through, on and along any or all of the streets of the said City of Spartanburg now existing, or that may hereafter be opened or extended, and to extend its said railway, or build lateral branches, beyond the corporate limits of the said city, by consent of the County authorities, or any such extension or lateral branch beyond the said corporate limits; and

Tracks along the streets of Spartanburg.
Extension and branches.

A. D. 1890.

Rights of way.

the said company shall have the rights and powers for acquiring and condemning any right of way that are provided in the general laws of this State relating to the formation of railroad companies.

Donations.

SEC. 7. That the Spartanburg, Clifton and Glendale Railroad

Purposes.

Company shall have power to take and hold such voluntary grants of real estate and other property as may be made to it to aid in the construction, maintenance and accommodation of its road, but the real estate so received by voluntary grants shall be held and used for the purpose of such grant only; to purchase, hold and use all such real estate as may be necessary for the construction and maintenance of its road and the stations, terminal facilities and all other accommodations necessary

May sell and
buy land.
Rights as to
other roads.

to accomplish the objects of its incorporation, and to sell, lease or buy any land necessary for its use; to cross, intersect or join or unite its railroad with any other railroad heretofore or hereafter constructed at any point in its route, with the necessary turnouts, turn-tables, sidings and switches, and other conveniences necessary in the construction of such road, and may run over any other railroad's right of way necessary or proper to

Transportation
rights.

reach its depot; to take and convey persons or property over its railroad by the use of steam, electricity or animals, or any other motive power not deemed objectionable by the Mayor and City Council of said city, and to receive compensation therefor, and to do all those things incident to railroad business; to erect and

Buildings, &c.

maintain railroad buildings, stations, fixtures and machinery for the accommodation and use of its passengers and business;

Schedules.

to regulate the time and manner in which passengers and property shall be transported, and the compensation to be paid therefor, subject to any law of this State upon the subject, and to the

Loans.

ordinances of said city; to borrow such sum or sums of money at such rates of interest and upon such terms as said company or its Board of Directors may authorize or agree upon and may deem necessary or expedient, and may execute one or more trust deeds or mortgages, or both if occasion require, upon all or any of its property, including the rights and franchises hereby granted, for the amount or amounts borrowed, as its Board of Directors may deem expedient; and in such deed or mortgage may make such provisions for transferring its railroad, depots, stations, buildings, grounds, rights, privileges, franchises, immunities, machine houses, rolling stock, animals, furniture, tools, implements, appendages and appurtenances used in con-

Mortgages
with power of
sale.

nection with its railroad, as security for any bonds, debts or sums of money that may be secured by such deed or mortgage, as they shall think proper. And in case of a sale or foreclosure under such deed or mortgage, the party or parties acquiring title thereunder, and their associates, successors or assigns, shall have or acquire thereby, and shall exercise and enjoy thereafter, the same rights, privileges, grants, franchises, immunities and advantages in or by such deed or mortgage enumerated or conveyed as fully and absolutely in all respects as the corporators, office holders, share holders and agents of said company created might or could have done had not such sale taken place; such purchaser or purchasers, their associates, successors or assigns, may proceed or organize anew by filing articles of association and electing Directors as provided in the general law authorizing the formation of railroad companies; and such purchaser or purchasers and their associates shall thereupon be a corporation, with all the powers, privileges and franchises conferred by and be subject to the provisions of this Act.

A. D. 1890.

Rights of purchasers thereunder.

Reorganization.

SEC. 8. That all powers, rights, privileges and immunities hereby granted shall cease, determine and be void unless said company shall within six months from the passage of this Act build, equip and put in permanent operation at least one-half mile of said railroad, and unless it shall complete said railroad to Glendale and Clifton Nos. 1 and 2 within three years from the passage of this Act.

When work must be begun.

And completed.

SEC. 9. That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

Repealing clause.

SEC. 10. That this Act shall be deemed and taken a public Act, and shall go into effect immediately upon and after its passage, and continue of force for thirty years.

Public Act.

Duration.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND THE CHARTER OF THE WADESBORO, No. 501.
WINNSBORO AND CAMAK RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

- A. D. 1890. Section 2 of an Act entitled "An Act to incorporate the Wadesboro, Winnsboro and Camak Railroad," approved December 24, A. A. 1887, §2, 19 Stat., 980, amended. A. D. 1887, be, and the same is hereby, amended by striking out all after the word "Winnsboro" in the fifth line of said Section and inserting in lieu thereof the following words, to wit : "And thence through the Counties of Lexington and Edgefield
- Route of road.** by such route as the Directors of said company may deem most practicable to a point on the Savannah River in the direction of Camak, Georgia." So that said Section as amended shall read as follows :
- Section as amended.** SECTION 2. That the said company is hereby authorized to construct a railroad from a point on the North Carolina line by
- Route of road.** a practicable route from Wadesboro, North Carolina, to Winnsboro, South Carolina, through the County of Lancaster by or near the Falls on the Catawba River, thence to Winnsboro, and thence through the Counties of Lexington and Edgefield by such route as the Directors of said company may deem most practicable to a point on the Savannah River in the direction of Camak, Georgia.
- Section 6 amended.** SEC. 2. That Section 6 of said Act be, and the same is hereby, amended by striking out the word "forty" in twenty-fifth line of said Section and inserting in lieu thereof the word "fifteen." So that said Section shall read as follows :
- Municipal subscriptions authorized.** SECTION 6. That for the purpose of determining the amount of such subscription, it shall be the duty of the County Commissioners of the County proposing to make the same, or in which the township or townships proposing to make the same may be situated, or the proper authorities of the city or town proposing
- Application for election.** so to subscribe, upon the application of a majority of the freehold voters owning the real estate in such County, township, town or city, specifying the amount to be subscribed therein, to submit to the qualified voters of such County, township, town or city, as the case may be, the question of subscription or no subscription to the capital stock of said company; and the said County Commissioners, or the proper authorities of such town or city, as the
- Election to be ordered.** case may be, shall have the power to order an election, specifying the time, place and purpose of the election, and to appoint
- Managers.** three (3) Managers at each election precinct, who shall without compensation hold and conduct said election, at which election
- Form of ballots.** the ballots shall have written or printed thereon either the words "Subscription" or the words "No Subscription," the said County Commissioners, or the proper authorities of said town

or city, having first by resolution fixed the amount to be subscribed according to the request of the commission submitted to them. Notice of such resolution shall be given in one newspaper published in the County so proposing to subscribe, or in which such township, town or city may be situated, for fifteen days next previous to the election, and at such election only those voters of the said County, township, town or city, as the case may be, who are qualified electors therein shall be entitled to vote: *Provided*, That registration shall not be required as a qualification for voting at such election. It shall be the duty of the Managers to count the votes at their respective precincts and make their returns to the County Commissioners, or to the authorities of said town or city, as the case may be, who shall receive and tabulate the same and declare the results, which result shall be certified to as correct by said County Commissioners, or city or town authorities, and filed in their respective offices. Contests in such elections shall be heard and determined by the County Commissioners or city or town authorities, as the case may be. In case a majority of the ballots cast at such election shall have printed or written thereon "Subscription," then the Chairman of the Board of County Commissioners shall be authorized and required to subscribe to the capital stock of said company in behalf of said County or township subscribing the sum which may have been fixed and named in the resolution of the said Board, which subscription shall be made in six per cent. coupon bonds, payable in thirty years after date thereof, as hereinafter provided, with interest payable annually. In all subscriptions made under the direction of a County or township election as authorized by this Act, it shall be so expressed in the bonds and coupons issued in payment of such subscription; and all the tax levies for the purpose of raising funds to pay the said bonds or coupons shall be made only upon the taxable property in such County or township; and if a majority of the ballots cast in any town or city election shall be for subscription, the proper authorities of such town or city are authorized and required to subscribe in behalf of such town or city in like manner and to like extent as the County Commissioners are herein required in case of County or township subscriptions.

A. D. 1890.

Notice of election.

Electors.

Registration not required.

Duty of Managers.

Declaration of result.

Contests.

Subscription of County or Township.

How made.

Statement in bonds.

Tax levies.

Town or City subscriptions.

SEC. 3. That Section 9 of said Act be amended so as to read Section 9
amended.
as follows:

A. D. 1890. That this Act shall be a public Act, to continue of force for thirty years, and to take effect on and after its passage: *Provided*, That this charter shall cease and determine unless the construction of said railroad is commenced on or before the first day of January, 1895, and completed on or before the first day of January, 1901: *Provided, however*, That the bonds representing the subscription of any County, city or town shall be placed in escrow in such bank or trust company as the County Commissioners or city or town authorities issuing the same may select, the same to be held in trust by such bank or trust company until the said railroad shall be fully built and fully railed with iron or steel rails in first class style through the County or city or town so subscribing, and then, and not until then, to be delivered to said railroad company; and said bank or trust company shall before such delivery as aforesaid detach and destroy all interest coupons then past due, said bonds to be delivered in exchange for stock of said company at par as aforesaid.

Public Act.
Duration.
Commencement and completion of work.
Bonds to be put in escrow until completion of road.
Past due coupons to be detached.
Bonds to be exchanged for stock.
Repealing clause.

SEC. 4. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

No. 502. AN ACT TO INCORPORATE THE WESTERN CAROLINA RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. E. B. Murray, A. Zimmerman, W. E. Candler, W. W. Humphries, W. F. Parker, W. J. Kirk, C. D. Smith, J. W. Bowden, R. E. Mason, J. E. Brazeale, Wm. Scruggs, P. K. McCully, Jonas Phillips, John McFall, W. R. McConnell, and their associates and successors, be, and they are hereby, constituted a

Incorporation and name. body corporate and politic, under the name and style of "The Western Carolina Railroad Company."

Route of road. SEC. 2. That the said company shall have power and authority to build, construct and operate a railroad from some point on the Georgia State line on Chatooga River, near Lee's Ferry, by way of Westminster, to Anderson C. H., South Carolina, with

the privilege of extending said road to Charleston, South Carolina, and a branch from some point on said extension South of Anderson to an eligible point of shipment on the Atlantic Coast within the confines of Beaufort County, South Carolina, by the most practicable route, as the said company may determine; to acquire, by purchase or otherwise, and to hold, own, possess, and sell, or otherwise transfer, real and personal property; to sue and be sued, implead and be impleaded, and to have and exercise all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of the State or the provisions of this Act.

A. D. 1890.

Property rights.

Other rights.

SEC. 3. That the said corporators shall be *ex officio* Directors of said company, with the usual powers and privileges, a majority of the same, however, having power at any time to take such action as they may deem necessary for the further and complete organization of the company in accordance with the provisions of this Act.

Powers of corporators.

SEC. 4. That the capital stock of said company shall be three hundred thousand dollars, in shares of one hundred dollars each, with the privilege from time to time of increasing the capital stock in such amounts as the said company may, by a majority vote of the stockholders, determine, to carry out the purposes of this Act, said capital stock not to exceed, however, the sum of three million dollars, and such shares to be transferable in such manner as the by-laws may direct. That when the sum of ten thousand dollars shall have been subscribed to the said capital stock of said company, the said corporators, or a majority of them, shall appoint a time and place for the meeting of said stockholders, due notice having been given in such manner as a majority of the corporators may deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of a President and nine Directors, who shall constitute the first Board of Directors, and shall hold their office for one year and until their successors are elected.

Capital stock.

Limit.

Organization.

President and Directors.

SEC. 5. And the said company is hereby authorized and empowered to merge and consolidate its capital stock, estate, real, personal and mixed, franchises, rights, privileges and property, with any other railroad company or companies chartered by and organized under the laws of this or any other State or States whenever the two or more railroad companies so to be merged and consolidated shall and may form a continuous line of road

Consolidation with other roads.

A. D. 1890.

with each other and by means of any intervening road or roads ; and said consolidation may be effected in such manner and on such terms and conditions as a majority of the stockholders may determine.

Bonds, mortgages, &c.

SEC. 6. That said company is hereby authorized and empowered to mortgage any and all of its property and franchises and to issue bonds and preferred stock to such an amount and on such terms and conditions and for uses and purposes of said company as a majority of the stockholders thereof shall deem expedient for the interest of the company.

Rights of way.

SEC. 7. That the said company shall have any right, power and privilege necessary for the purpose of acquiring such lands and rights of way as may be required for locating and constructing and operating said road and branches thereof, and for the erection and location of depots, warehouses, stations, wharves and other necessary establishments, or for altering or extending the same ; and the said company shall have the benefit of every process and proceeding, and be subject to the restrictions provided or imposed, in Sections 1550 to 1561, both inclusive, of the General Statutes of this State.

Depots, wharves, &c.

Subscriptions, in what payable

SEC. 8. That subscriptions to the capital stock of said company shall be made in money, lands, material, or labor, at the discretion of the company, to suit the subscriber.

Subject to General Railroad Law.

SEC. 9. That this charter shall be subject to all the provisions of Part 1, Chapter XL, of the General Statutes, known as the Railroad Act.

Public Act.

SEC. 10. That this Act shall be deemed a public Act, and shall continue in force until it expires by its own limitation, to wit, for a period of thirty years, and until the first meeting of the General Assembly of this State thereafter.

Duration.

Approved December 20th, A. D. 1890.

No. 503. AN ACT TO CHANGE THE NAME OF THE WINNSBORO AND FISH DAM RAILROAD COMPANY AND TO AMEND THE CHARTER OF THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That from and after the passage of this Act the name of the Winnsboro and Fish Dam Railroad Company, a railroad incorporated by and under the laws of the State, be, and the same hereby is, changed to that of the Cape Fear and Cincinnati Railway Company, and hereafter said railroad company shall be known and called by the name of Cape Fear and Cincinnati Railway Company, and by that name shall be entitled to all the rights, powers and privileges, and be subject to all the duties, liabilities and restrictions, set forth in the charter of the said Winnsboro and Fish Dam Railroad Company, and in any and all Acts amendatory of the same.

A. D. 1890.

Name changed to Cape Fear and Cincinnati Railway Co.

Rights and liabilities.

SEC. 2. That Section 2 of an Act entitled an Act to incorporate the Winnsboro and Fish Dam Railroad Company, approved December 24th, A. D. 1888, be, and the same is hereby, amended by striking out the whole of said Section and inserting the following in lieu thereof; so that said Section shall read as follows;

A. A. 1888, § 2, ante 68, amended.

SECTION 2. That the said company is hereby authorized to construct a railway from or near Camden, in the County of Kershaw, by the most practicable route to Winnsboro, in the County of Fairfield, and from thence by the most practicable route to or near Fish Dam, in the County of Union, thence by a route to be decided by the Directors of said railway to the North Carolina State line, passing through the Counties of Spartanburg, Greenville and Pickens; that it shall have the right to merge with any other railway company entering the State of South Carolina as a connecting link between different portions of its railway.

Section as amended.

Route of road.

May merge with connecting roads.

SEC. 3. That Section 5 of an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the Winnsboro and Fish Dam Railroad Company,' approved December 24th, A. D. 1888," approved December 24th, 1889, be, and the same is hereby, amended by striking out the word "*seven*," on the thirteenth line, and inserting the word "*six*," and striking out the word "*twenty*," on the same line, and inserting the word "*thirty*," and by striking out the words "*one hundred dollars*," where they appear in the fifteenth line, so that the Section, in its last clause, will read: "If such subscription by any County, city or town be in bonds, the said subscription shall be in six per cent. bonds, payable in thirty years after date thereof, to be received by the said company at par, and to be of the denomination of

A. A. 1889, § 5, ante 435, amended.

Description of bonds.

A. D. 1890.

five hundred and one thousand dollars, interest to be paid annually."

Section 8, ante 490, amended.

SEC. 4. That Section 8 of said Act be amended by striking out the word "seven," on the eighth line, and inserting the word "six," so that said Section, when so amended, shall read as follows:

Section as amended.

SECTION 8. In case a majority of the ballots have written or printed thereon "subscription," then the Chairman of the Board of County Commissioners, in all cases of County elections, shall be authorized and required to subscribe to the capital stock of said company, in behalf of said County, the sum which may have been fixed and named in the resolution of said Board, published as aforesaid, which subscription if in bonds shall be made in six per cent. bonds, as aforesaid, with interest payable annually, if in money shall be in such annual installments as shall have been named in the petition and in the resolution of the said Board; and all tax levies for the purpose of raising funds to pay said bonds or coupons, or said sums of money subscribed, shall be made upon the taxable property in such Counties; and if a majority of the ballots cast in any city or town election shall be for "subscription," the proper corporate authorities of such city or town are authorized and required to subscribe in behalf of such city or town, in like manner and to like extent as the County Commissioners are herein required in

Counties to make subscriptions.

Amount.

Description of bonds.

Tax to pay bonds and coupons.

Towns to make subscriptions.

Bonds to be placed in escrow until road is completed.

Past due coupons to be detached.

Bonds to be exchanged for stock.

Section 11, ante 427, repealed.

all cases of County subscriptions: *Provided, however,* That the bonds representing the subscription of any County, city or town shall be placed in escrow in such bank or trust company as the County Commissioners or city or town authorities issuing the same may select, the same to be held in trust by such bank or trust company until the said railroad shall be fully built and fully railed with iron or steel rails in first class style through the County or city or town so subscribing, and then, and not till then, to be delivered to said railroad company; and said bank or trust company shall, before such delivery as aforesaid, detach and destroy all interest coupons then past due; said bonds to be delivered in exchange for stock of said company at par as aforesaid.

SEC. 5. That Section 11 of an Act entitled "An Act entitled An Act to amend an Act entitled 'An Act to incorporate the Winnsboro and Fish Dam Railway,' approved December 24, A. D. 1888," approved December 21, A. D. 1889, be, and the same is hereby, stricken out and repealed; and the numbers of

the Sections of said Act following said Section 11 be, and the same are hereby, changed so as to conform herewith. A. D. 1890.

SEC. 6. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 24th, A. D. 1890.

AN ACT TO ENABLE SAMUEL MCGOWAN, JR., TO APPLY FOR No. 504.
ADMISSION TO THE BAR.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel McGowan, Jr., a minor, be, and hereby is, permitted to apply for admission to the Bar, upon his graduation at the Law School of the University of South Carolina with the degree of Bachelor of Laws, and the Supreme Court is hereby authorized, upon the proper motion being made, to admit the said Samuel McGowan, Jr., to all the privileges granted by Section 2160 of the General Statutes of South Carolina to persons applying for permission to practice as attorneys at law. Authorized to apply and be admitted on his diploma.

Approved December 24th, A. D. 1890.

A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF No. 505.
THE SUM OF SEVENTY-FIVE DOLLARS TO C. W. BUTLER
OUT OF THE GOVERNOR'S CONTINGENT FUND.

Whereas on the 18th day of November, A. D. 1889, a reward of seventy-five dollars was offered by the Governor for the arrest of one Charles Green and the delivery of his body to any of the Sheriffs of this State : *And whereas* on the 13th day of October, A. D. 1890, C. W. Butler arrested and delivered the said Charles Green to the Sheriff of Colleton County : *And whereas*, the Preamble.

A. D. 1890.

Governor's contingent fund being exhausted for the year 1889, the said C. W. Butler has not been paid :

Governor to pay \$75.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor of South Carolina be, and he is hereby, authorized to pay to the said C. W. Butler the sum of seventy-five dollars, out of his contingent fund for the fiscal year 1890-91.

Approved December 24th, A. D. 1890.

No. 506. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE ADJUTANT AND INSPECTOR GENERAL TO DRAW HIS WARRANT IN FAVOR OF THE SUMTER LIGHT INFANTRY FOR ONE HUNDRED AND FIVE DOLLARS ON THE COMPTROLLER GENERAL, WHO SHALL DRAW A WARRANT ON THE STATE TREASURER FOR SAID AMOUNT, AND TO AUTHORIZE AND DIRECT THE STATE TREASURER TO PAY THE SAME.

Preamble.

Whereas under the call and order of the Governor, the Sumter Light Infantry did incur an expense of one hundred and five dollars, in responding to the call and order of the Governor to go to Bishopville to suppress a riot, and did render valuable service to the State thereby on the 23rd and 24th days of November, 1890 ; therefore,

Adjutant and Inspector General to draw warrant.

Comptroller General to draw warrant.

State Treasurer to pay.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Adjutant and Inspector General be, and he is hereby, authorized and directed to draw his warrant in favor of the Sumter Light Infantry for one hundred and five dollars on the Comptroller General, who shall draw his warrant on State Treasurer for said sum in favor of said Adjutant and Inspector General for said Sumter Light Infantry, the same being the amount of expenses incurred by said Sumter Light Infantry in suppressing, by order of the Governor, the riot at Bishopville, in Sumter County, on the 23rd and 24th days of November, 1890 ; that the State Treasurer be, and he is hereby, authorized and directed to pay the same out of any funds in his hands not otherwise ap-

propriated, and that when so paid by said State Treasurer the said Adjutant and Inspector General shall pay over same to the said Sumter Light Infantry.

A. D. 1890.

To be paid to
Sumter Light
Infantry.

Approved December 24th, 1890.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE No. 507.
COMPTROLLER GENERAL OF THIS STATE TO DRAW HIS
WARRANT UPON THE STATE TREASURER IN FAVOR OF
SAMUEL L. CAMPBELL AND JAMES JONES FOR THE SUM
OF TWO HUNDRED DOLLARS (\$200) EACH.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General of this State be, and he hereby is, authorized and directed to draw his warrant on the State Treasurer for the sum of two hundred dollars in favor of Samuel L. Campbell, a Confederate soldier of the County of York, and two hundred dollars for James Jones of Laurens County, who were made blind from injuries received in the late war.

Comptroller
General to draw
warrants.

SEC. 2. That the State Treasurer do pay the said sum out of any funds in the Treasury not otherwise appropriated.

State Treas-
urer to pay.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE RICHARD W. SIMPSON AS EXECUTOR No. 508.
OF THOMAS G. CLEMSON, DECEASED, TO PAY AND TURN
OVER CERTAIN LEGACIES TO ISABELLA LEE. (1)

Whereas in and by the last will and testament of Thomas G. Clemson, deceased, the sum of fifteen thousand dollars in cash and certain articles of personal property were devised to Isabella Lee, but in and by the said will it was further provided that

Preamble.

(1) Consult ante p. 777.—EDITOR.

A. D. 1890.

such legacies should be forfeited if the said Isabella Lee should seek by any legal proceedings to prevent the carrying out of the provisions of said will; *and whereas* a question has arisen whether by the institution of certain proceedings by Gideon Lee, as guardian of Isabella Lee, against the said Richard W. Simpson in the United States Court for the District of South Carolina, the said Isabella Lee has forfeited her right and claim to the said legacies: Now, for the purpose of resolving such doubts and of authorizing the said Richard W. Simpson as executor as aforesaid to pay over and deliver the said legacies to the said Isabella Lee:

Executor to
pay legacy to
Miss Lee.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said Richard W. Simpson, as executor of the last will and testament of the said Thomas G. Clemson, deceased, be, and he is hereby, authorized and empowered to pay over and deliver to the said Isabella Lee, as in full satisfaction and discharge of all her claim and interest in and to the said estate, all legacies, both pecuniary and specific, given and devised to her in and by the last will and testament of the said Thomas G. Clemson in accordance with the terms and conditions thereof.

Approved December 24th, A. D. 1890.

No. 509. A JOINT RESOLUTION DIRECTING THE EXECUTOR OF THOMAS G. CLEMSON TO MARK HIS GRAVE AND PROCURE A GOOD PORTRAIT OF THE DECEASED.

Executor to
erect monu-
ment.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Richard W. Simpson, executor of the last will and testament of Thomas G. Clemson, is hereby authorized and directed, under the supervision of the Board of Trustees of Clemson Agricultural College, to have erected a monument to the memory of Thomas G. Clemson over his grave, the costs of the same not to exceed the sum of five hundred dollars. The said executor is further directed, under the supervision of the same parties, to

Cost.

have painted in oil a good portrait of the said Thomas G. Clemson, the cost of which shall not exceed three hundred dollars. The said amounts shall be paid out of the funds now in the hand of said executor belonging to the said estate, and the State Treasurer shall accept the vouchers for the same as a proper acquittance of said executor. ⁽¹⁾

A. D. 1890.
 And to procure
 portrait.
 Cost.
 State Treas-
 urer to accept
 vouchers.

Approved December 23d, A. D. 1890.

⁽¹⁾ Consult ante p. 277.—EDITOR.

AN ACT TO RELIEVE THE SURETIES ON A CERTAIN OFFICIAL No. 510.
 BOND THEREIN MENTIONED.

Whereas the State of South Carolina has recovered judgment on the official bond of Uriah B. Whites, who was appointed Treasurer of Newberry County, State of South Carolina, in 1877; *and whereas* it has been judicially ascertained by the Master for said County in the suit instituted for the collection of said bond that the sureties to said official bond are all insolvent except David Hipp; *and whereas* the said David Hipp has memorialized the General Assembly praying relief in the premises in consideration of the sum of two thousand five hundred dollars:

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Solicitor of the Seventh Circuit, upon the payment of the said sum of two thousand and five hundred dollars, be, and he is hereby, authorized and directed to enter satisfaction upon the judgment aforesaid.

Solicitor to ac-
 cept \$2,500 in
 satisfaction.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE BOARD OF MISSIONS AND No. 511.
 CHURCH EXTENSION OF THE UNITED SYNOD OF THE EVAN-
 GELICAL LUTHERAN CHURCH IN THE SOUTH.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890.	in General Assembly, and by the authority of the same, That
Incorporation.	Rev. E. T. Horn, D. D., Rev. R. C. Holland, Rev. E. A. Wingard, Rev. H. S. Wingard, J. D. Cappelman, Esq., H. A. Meetze and C. M. Efrd, Esq., be, and the same are, with their successors in office, created a body corporate and politic under the name and style of the "Board of Missions and Church Extension of the United Synod of the Evangelical Lutheran Church in the South."
Name.	
Succession and powers.	SEC. 2. That the said Board shall under the name aforesaid have succession of officers according to its own rules, and shall have power to make such rules and regulations for its deliberations and the management of its business as are not repugnant to the constitution, rules, regulations and by-laws of, and powers and instructions given it by, "The United Synod of the Evangelical Lutheran Church in the South;" to have, keep and use a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court of law, and to have and enjoy every right incident to incorporated bodies.
Property rights.	SEC. 3. That the said Board shall retain, possess and enjoy all such property as they may now be possessed of or entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by it, and to sell, alien or in any way transfer the same or any part thereof.
	Approved December 24th, A. D. 1890.

No. 512. AN ACT TO INCORPORATE THE UNITED SYNOD OF THE EVANGELICAL LUTHERAN CHURCH OF THE SOUTH.

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Incorporation.	all those persons who now or may hereafter become members of the "United Synod of the Evangelical Lutheran Church in the South" be, and the same are hereby, declared a body politic and corporate by the name and style of "The United Synod of the Evangelical Lutheran Church in the South."
Name.	
Property rights.	SEC. 2. That the said society shall be able and capable in law and equity to have, hold and receive, enjoy, possess and retain,

all such property, real and personal, as they may now be possessed of or in any wise entitled to, or which shall have been or shall hereafter be given, bequeathed, or in any way acquired, and to sell, alien or otherwise part with the same or any part thereof, as they shall deem proper or expedient.

A. D. 1890.

SEC. 3. That the said society shall by its proper name have succession of officers and members, to be chosen according to the rules and by-laws made or to be made for its government and direction; and shall have power and authority to make rules, regulations and by-laws not repugnant to the laws of the land, and to have, keep and use a common seal, and the same to change and alter at will; to sue and be sued, plead and be impleaded, in any Court of law; and to have and enjoy all the rights and privileges incident or belonging to incorporated bodies.

Succession and powers.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO EXTEND AND RENEW THE CHARTER OF THE SISTERS OF OUR LADY OF MERCY OF SOUTH CAROLINA." No. 513.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to extend and renew the charter of the Sisters of Our Lady of Mercy of South Carolina," approved December 23d, A. D. 1889, be, and the same is hereby, amended, in this particular, to wit: That in addition to the powers already granted to said corporation, the Sisters of Our Lady of Mercy, the right and power is hereby given to said corporation to establish and maintain schools, colleges and other institutions of learning in any portion of this State, and to grant and confer diplomas upon those who have studied or received their education therein, and also upon those who may do so hereafter.

A. A. 1889, ante 430, amended.

Additional powers.

May establish other schools.

And confer diplomas.

SEC. 2. That any previous exercise by said corporation of the rights and powers granted by this Act be, and same is hereby,

Confirmation of acts.

A. D. 1890.

confirmed and made of as full force and effect as if it had always possessed the powers and rights now given.

Approved December 24th, A. D. 1890.

No. 514. AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF ABBEVILLE TO CONTRACT WITH THE GEORGIA, CAROLINA AND NORTHERN RAILROAD FOR THE LOCATION OF CERTAIN RAILROAD SHOPS IN SAID TOWN AND TO CONTRIBUTE TO THE SAME.

Contract for
shops, &c., au-
thorized.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Abbeville is hereby authorized and empowered to contract with the Georgia, Carolina and Northern Railroad for the location of such shops and other houses as the said railroad may determine to establish and build in said town.

Donation.

SEC. 2. The said Council is further authorized and empowered to contribute to the purposes enumerated in the first Section a sum of money not exceeding five thousand dollars, and shall have power to raise the said sum by taxation, to be assessed and collected in the same manner and at the same time as other town taxes are collected.

Limit.

How raised.

May borrow
money.

SEC. 3. The said Council shall have power to borrow money in anticipation of the collection of the aforesaid sum : *Provided*, That only the tax herein authorized shall be pledged as security for its payment.

Security.

Approved December 24th, A. D. 1890.

No. 515. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE FARMERS' LOAN AND TRUST COMPANY OF ABBEVILLE COUNTY," APPROVED DECEMBER 23D, 1889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two of an Act entitled "An Act to incorporate the

A. A. 1889, ante
483, amended.

Farmers' Loan and Trust Company of Abbeville" be amended by striking out the words "Loan and Trust Company" and inserting in lieu thereof the word "Bank," so that said Section shall hereafter read :

A. D. 1890.

SECTION 2. That the name and title of said association shall be "The Farmers' Bank of Abbeville County."

Section as amended.
Name.

SEC. 2. That Section 7 of said Act be amended by striking out the words "or to represent more than ten shares individually or by proxy at any meeting" in the tenth and eleventh lines of said Section, so that said Section, when amended, shall read as follows :

Section 7 amended.

SECTION 7. The first meeting of the subscribers to the capital stock for the election of Directors shall be held at such time and place as may be determined upon by the corporators, after ten days' notice by the corporators to the stockholders. At this meeting, or a subsequent one, if deemed proper, all necessary rules and by-laws for the proper conduct of business, annual election of officers, time of such election, term of office, and manner of removal, regulations for increase of stock and any other matters shall be adopted. No stockholder to have more than ten shares. Directors must be citizens of the State and hold not less than five shares of stock.

Section as amended.
First meeting.

SEC. 3. That the title to said Act be amended so as to read "The Farmers' Bank of Abbeville County" in lieu of the "Farmers' Loan and Trust Company of Abbeville County."

By-laws.

Number of shares of stockholder and Director.

Title of A. A. 1890 amended.

SEC. 4. That the said "Farmers' Bank of Abbeville County" shall have all the privileges and be subject to all the liabilities heretofore attaching to the said "Farmers' Loan and Trust Company of Abbeville County."

Rights and liabilities.

SEC. 5. That this Act shall go into effect from and immediately after the date of its approval by the Governor.

When to take effect.

Approved December 20th, A. D. 1890.

A JOINT RESOLUTION TO PROVIDE FOR THE APPOINTMENT No. 516.
OF S. S. McBRIDE ONE OF THE TRUSTEES ESTATE OF DR.
JOHN DE LA HOWE, DECEASED, IN PLACE OF DAVID
MORRAH, NOW DECEASED.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That
 S. S. McBride, of Abbeville County, be, and he is hereby, ap-
 pointed one of the Trustees of the estate of Dr. John De La
 Howe, deceased, in the place of David Morrah, now deceased.
 Approved December 23d, A. D. 1890.

No. 517. A JOINT RESOLUTION AUTHORIZING AND EMPOWERING THE
 COUNTY COMMISSIONERS OF ABBEVILLE COUNTY TO AUDIT
 AND APPROVE THE CLAIM OF J. F. C. DUPRE, CLERK OF
 SAID BOARD, FOR FIFTY DOLLARS FOR EXTRA CLERICAL
 SERVICES, AND THE COUNTY TREASURER OF SAID COUNTY
 TO PAY THE SAME.

SECTION 1. *Be it resolved* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 the County Commissioners of the County of Abbeville be, and
 they are hereby, authorized and empowered to audit and approve
 the claim of J. F. C. DuPre, Clerk of said Board, for fifty dol-
 lars for extra clerical services, and when so audited and ap-
 proved to draw their warrant on the County Treasurer to pay
 the same out of the funds collected from taxes for ordinary
 County purposes for the fiscal year commencing November 1st,
 1889, and the County Treasurer is hereby authorized and re-
 quired to pay said warrant when presented out of the funds
 arising from taxes collected for said fiscal year for ordinary
 County purposes.

Approved December 24th, A. D. 1890.

No. 518. A JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE
 COUNTY TREASURER OF AIKEN COUNTY TO PAY UPON
 WARRANTS OF THE COUNTY COMMISSIONERS CERTAIN
 NOTES HELD BY THE BANK OF AIKEN.

Preamble. *Whereas* on the 15th day of December, 1889, the County
 Commissioners of Aiken County, by virtue of the authority

granted to them by an Act of the General Assembly, enacted December 19, 1887, borrowed from the Bank of Aiken the sum of fourteen thousand seven hundred and twenty-seven and 2-100 dollars for school purposes, and thereby pledged the two-mills school tax of said County for the fiscal year 1889-90 for the payment of said loan; *and whereas* some doubt has arisen as to the power of the said County Commissioners to issue their warrant to said bank in payment of said loan on said tax when collected; *and whereas* the said County Commissioners borrowed from said bank for ordinary County purposes for fiscal year 1888-89 the sum of six thousand one hundred and thirty-one and 61-100 dollars on their notes aggregating this amount, and pledged the taxes of said County for said year for the repayment thereof to said bank; *and whereas* the said County Commissioners exhausted the said taxes in payment of other claims, leaving the said amounts due and unpaid; *and whereas* the said Commissioners renewed said notes at the Bank of Aiken and pledged the taxes of the fiscal year 1889-90 for the payment of the same without authority of law:

A. D. 1890.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Aiken County be, and they are hereby, authorized and empowered to issue their warrant to the Bank of Aiken, of Aiken, South Carolina, against the two-mills Constitutional and school tax and the poll tax of said County of the fiscal year 1889-90, directed to the County Treasurer of Aiken County, for payment of the said fourteen thousand seven hundred and twenty-seven 2-100 dollars, with interest, if any be due, borrowed by them from said bank, and the said Treasurer, upon the presentation to him of said warrant, is authorized to pay the same from said taxes of fiscal year 1889-90.

County Commissioners to draw warrant.

SEC. 2. That upon the issuing of said warrant the County Commissioners of said County shall take up the note upon which the said sum of money was borrowed, cancel the same, and hold it as a voucher upon which their said warrant was issued.

County Treasurer to pay.

Note to be canceled.

SEC. 3. That the said County Commissioners be, and they are hereby, further authorized to issue their warrant in payment to said bank of the said sum of six thousand one hundred and thirty-one 66-100 dollars upon any funds which may remain in the County treasury for ordinary County purposes and past indebtedness levied for fiscal year 1889-90, after the ordinary ex-

Other warrant.

A. D. 1890.

Note to be
canceled.

penses of said fiscal year are paid, and out of any back taxes which may be collected.

County Treas-
urer to pay.

SEC. 4. That upon the issuing of said warrant, that the County Commissioners of said County take up their said notes for said sum of six thousand one hundred and thirty-one 66-100 dollars, cancel the same, and file them as a voucher upon which said warrant shall be issued by them.

When to take
effect.

SEC. 5. That the County Treasurer of said County be, and he is hereby, authorized to pay the warrant of said Commissioners drawn in payment of said sum of six thousand one hundred and thirty-one 66-100, as directed in Section three of this Joint Resolution.

SEC. 6. This Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1890.

No. 519. AN ACT TO AUTHORIZE THE CLERK OF THE COURT OF AIKEN COUNTY TO SELL ALL THE PROPERTY BELONGING TO THE TOWN COUNCIL OF MADISON AT THE TIME THE CHARTER OF SAID TOWN WAS REVOKED AND TO APPLY THE PROCEEDS AS THEREIN DIRECTED.

Clerk of Court
to sell property.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerk of the Court of Aiken County be, and he is hereby, authorized and directed to sell all the property belonging to the Town Council of Madison at the time the charter of said town was revoked.

Notice of sale.

SEC. 2. That the said property be sold, after advertisement at the Council Chamber in Madison, and the proceeds of said sale shall be used for the benefit of the public schools of Graniteville, now taught by Prof. W. N. Marchant and Miss Hard.

Use of pro-
ceeds.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT TO ALTER AND AMEND THE LAW RELATING TO THE NUMBER AND TERRITORIAL JURISDICTION AND PAY OF TRIAL JUSTICES AND CONSTABLES THEREIN MENTIONED, SO FAR AS THE SAME REFERS TO COLLETON COUNTY, AND TO REGULATE THE AMOUNT OF FEES OF CERTAIN TRIAL JUSTICES IN AIKEN COUNTY IN CRIMINAL CASES."

A. D. 1890.
No. 520.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of "An Act to amend an Act entitled 'An Act to alter and amend the law relating to the number, territorial jurisdiction and pay of Trial Justices and Constables in the several Counties therein mentioned,' so far as the same refers to Colleton County, and to regulate the amount of fees of certain Trial Justices in Aiken County in criminal cases," be, and the same is hereby, amended by striking out all of said Section after the word "receive" in the fourth line thereof, and inserting the following words: "costs and fees in criminal cases, not exceeding three hundred dollars per annum." So that said Section when so amended shall read as follows:

A. A. 1889,
§ 3, ante 451,
amended.

SECTION 3. That the Trial Justice at Aiken Court House, in Aiken County, shall receive full costs and fees in all cases before him, and the Trial Justice at Graniteville, in Aiken County, shall receive costs and fees in criminal cases not exceeding three hundred dollars per annum.

Fees to Trial
Justice at Aiken

Salary to Trial
Justice at Gran-
iteville.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CITY OF AIKEN," APPROVED DECEMBER 24TH, A. D. 1889. No. 521.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the City of

A. A. 1889,
§ 1, ante 438,
amended.

A. D. 1890. Aiken," approved December 24th, A. D. 1889, be, and the same is hereby, amended, so that said Section when amended shall read as follows :

Section as amended. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. from and after the passage of this Act all citizens of this State having resided twelve months within the State and six months within the corporate limits of the City of Aiken shall be deemed, and are hereby declared, a body politic and corporate ; and the said corporation shall be called and known by the name of "The City of Aiken." The limits of said city shall be held and deemed to be in the form of a circle, and a square upon that circle, with the sides of the square touching the circumference of that circle on the North, East, South and West. The said circle to describe a circumference one mile in all directions from the central point of the intersection of Park Avenue and Union Street as the centre of the said city.

Section 9 amended. SEC. 2. That Section 9 of said Act be, and the same is hereby, amended, so that said Section when amended shall read as follows :

Liquor licenses. SECTION 9. The Mayor and Aldermen of said city shall have power to grant license to retail spirituous liquors within said limits, which license shall be granted in the same manner and upon like conditions as they now are or may hereafter be under the laws of this State, except that the said City Council shall not grant such license for retail for less than five hundred dollars per annum, and no such shall be granted for a longer period than one year : *Provided, however,* That the said City Council may

Special license to hotels. grant special license to hotel keepers in said city whose houses are capable of entertaining one hundred guests or more : *And provided, further,* That the sale of liquor be made only to guests of such hotel. That the price of such special license shall be two hundred dollars per year, but the City Council may issue such license for a period of six months at half rate. All moneys

Appropriation of proceeds. arising from the granting of licenses and for fines or forfeitures for retailing spirituous liquors or keeping tavern or billiard tables in said city without license shall be appropriated to the uses of said corporation.

Approved December 20th, A. D. 1890.

AN ACT TO AUTHORIZE THE CITY OF AIKEN, THROUGH ITS CITY COUNCIL, TO ISSUE BONDS FOR THE PURPOSE OF ERECTING SCHOOL BUILDINGS FOR EDUCATIONAL PURPOSES IN SAID CITY, AND TO PROVIDE FOR THE GOVERNMENT OF SAID SCHOOL.

A. D. 1890.

No. 522.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City of Aiken, through its City Council, under the hand of its Mayor and Treasurer and its corporate seal, shall have the power, and they are hereby authorized and required, to issue bonds of said City of Aiken to the amount of eight thousand (\$8,000) dollars for the purpose of erecting a suitable school building and a teacher's residence, or residences, if deemed necessary, upon the lot in the City of Aiken known as "the Academy lot," which is held by a school corporation known as the Aiken Institute, and dedicated to be used for school purposes alone; said building or buildings, when erected, to be for a school for white children alone; said bonds to be issued in such denominations and to be made payable at such time or times within twenty years as such City Council may deem best, with interest payable annually at the rate of seven per cent. per annum, and the coupons for said interest, when due, to be receivable in payment of all taxes levied by or due to said city.

May issue bonds

Amount and purpose.

Description of bonds.

Coupons receivable for taxes.

SEC. 2. That the money arising from the sale or hypothecation of said bonds shall be used exclusively for the purpose of erecting said school building and residence or residences, and furnishing said school building, and to these ends shall be expended by the Trustees of the School District of the City of Aiken and the Board of Directors of the Aiken Institute and such joint Board as are authorized and empowered to disburse said fund for said purposes and to control and manage said school under such rules as they may establish: *Provided, however,* They must keep the school open and free during the free school period to all pupils within the free school age during the free school period within the limits of the School District of the City of Aiken.

Proceeds to be used for school buildings, &c.

By whom expended.

School to be open and free.

SEC. 3. That the said City of Aiken, through its City Council, shall annually, at such time as they may fix and determine, pay the interest on said bonds, and for this purpose and the purpose of paying the principal of the bonds they shall have the power,

Tax to pay bonds and interest.

A. D. 1890.

and are hereby authorized and required, annually, to levy such taxes upon the real and personal property assessed for taxation in said city as may be deemed necessary to pay the interest and principal of said bonds as it becomes due during each and every year until the whole of said bonds shall be paid.

Exempt from
taxation.

SEC. 4. That the property upon which said buildings are erected, and said buildings and their outfit, shall be free from all taxes.

When to take
effect.

SEC. 5. That this Act shall take effect immediately upon its passage.

Approved December 24th, A. D. 1890.

No. 523. AN ACT TO REQUIRE THE SOUTH CAROLINA RAILWAY COMPANY TO ERECT BRIDGES OVER THE RAILWAY CUT ON CERTAIN STREETS IN THE CITY OF AIKEN AND TO MAINTAIN THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the South Carolina Railway Company be, and they are hereby, required and compelled to erect within four months after the approval of this Act, and maintain, one substantial and neat bridge, with safe and appropriate railings for sidewalks and street ways, over the railway cut of said company on Chesterfield street in the City of Aiken. That said bridge shall afford a roadway for vehicles and horses not less than twenty feet wide and a way for pedestrians not less than eight feet wide.

Bridge to be
erected and
maintained.

Width of
bridge.

Character and
design of bridge

SEC. 2. That the character and design of said bridge shall be agreed upon by the said railway company and the City Council of Aiken, and if they fail to agree then the said railway company shall build it according to specifications to be furnished by the Railroad Commissioners.

Repair of
other bridges.

SEC. 3. That within three years after the approval of this Act the said railway company shall be, and they are hereby, required and compelled to repair and maintain the bridges over the railway cut in Laurens, Newberry, York and Union streets in said City of Aiken, with bridges of the same width and design as

are hereinbefore specified for the bridge over the cut in Chesterfield street.

A. D. 1890.

SEC. 4. That if the said railway company shall fail or refuse to construct the said bridges as required by this Act within the time herein specified, it shall be the duty of the Railroad Commissioners forthwith to proceed to compel the said railroad company to do so, and for this purpose they shall have the right to apply by writ of mandamus to the Courts of this State.

R. R. company
to be compelled.

Approved December 24th, A. D. 1890.

AN ACT TO REPEAL SECTION 9 OF AN ACT ENTITLED "AN ACT No. 524. TO PROVIDE A MORE EFFICIENT SYSTEM OF WORKING THE PUBLIC ROADS IN ANDERSON COUNTY," APPROVED DECEMBER 24TH, 1886, AND TO ALLOW TAXES ALREADY COLLECTED TO BE USED BY THE COUNTY COMMISSIONERS OF SAID COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 9 of an Act entitled "An Act to provide a more efficient system of working the public roads in Anderson County," approved December 24, 1886, be, and the same is hereby, repealed.

A. A. 1886, § 9,
19 Stat., 691,
repealed.

SEC. 2. That all funds now in the hands of the County Treasurer of Anderson County arising from the tax levy provided for in said Section 9 may be used by the County Commissioners of said County to pay the ordinary expenses of said County or to pay past indebtedness of said County.

Use of funds
now on hand.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND SECTION 2 AND 3 OF AN ACT ENTITLED No. 525. "AN ACT TO PROVIDE A MORE EFFICIENT SYSTEM OF WORKING THE PUBLIC ROADS IN LAURENS, ANDERSON, EDGEFIELD, LEXINGTON, MARLBORO, RICHLAND, ABBEVILLE AND NEWBERRY COUNTIES, SO FAR AS THE SAME RELATES TO ANDERSON COUNTY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That
A. A. 1888, § 2, ante 94, amended. Section 2 of an Act to provide a more efficient system of working the public roads in Laurens, Anderson, Edgefield, Lexington, Marlboro, Richland, Abbeville and Newberry Counties be, and the same is hereby, amended by striking out the words "and shall be exempt from road duty for two years immediately succeeding such term." So that said Section when amended shall read as follows:

Overseer must serve. SECTION 2. Every person so appointed overseer, unless exempt from road duty, shall be required to serve as hereinafter provided, and any person refusing or neglecting to serve when appointed shall forfeit to the County the sum of twenty-five
Term of office. dollars. The term of office of such overseer shall be two years from the date of appointment, but no overseer shall be required to serve two terms in succession.

Applies only to Anderson. Section 3 amended. SEC. 2. That this Act shall only apply to Anderson County.
 SEC. 3. That Section 3 of said Act be amended by inserting the word "be" between the words "shall" and "furnish" on the first line, and adding "ed" to the word "furnish" on line 2. So that said Section when amended shall read as follows:

List of road workers. SECTION 3. The County Commissioners of said Counties shall be furnished by such overseer with a list of all persons liable to road duty who are assigned to work upon the highway district over which such overseer is appointed, and it shall be his duty
Hands to be warned out. to warn out such hands at the times and places designated by the County Commissioners and at such times as the exigencies of the weather may necessitate.

Approved December 24th, A. D. 1890.

No. 526. A JOINT RESOLUTION APPOINTING SPECIAL COMMISSIONERS AND AUTHORIZING AND DIRECTING THEM TO LAY OUT AND CONSTRUCT A PUBLIC ROAD FROM PENDLETON, ON THE BLUE RIDGE RAILROAD, TO THE CLEMSON AGRICULTURAL COLLEGE.

Preamble. *Whereas, the public road leading from Fort Hill, the site of the Clemson College, to the Town of Pendleton, the nearest station on the Blue Ridge Railroad to said college, is so hilly*

and so badly located as to very seriously interfere with the comfort and convenience of persons visiting said college and the hauling of freights and material for the same, and it has been ascertained that a new road can be constructed which will practically avoid all the steep grades on the present road, but, owing to the fact that the said new road will run through the Counties of Anderson and Pickens and the corporate limits of the Town of Pendleton, and it is difficult to get the several parties in authority to agree,

A. D. 1890.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Prof. H. A. Strode, of Clemson College, J. C. Stribling, of Pickens County, P. H. E. Sloan, of Anderson County, be, and they are hereby, appointed a Board of Special Commissioners, and they are hereby authorized and directed to at once survey out and construct a public road from the said Town of Pendleton to the Clemson Agricultural College upon the best and nearest route practicable.

Commission appointed to lay out road.

From Pendleton to Clemson College.

SEC. 2. Whenever the said proposed road has been laid out and graded, it shall then become a public highway, and the County Commissioners of the several Counties through which it shall run shall forever afterwards keep it in good condition and repair.

Public highway.

SEC. 3. That in laying out and constructing the road provided for by this Act, the said Commissioners shall proceed in the manner provided by law in respect to notices, appointment of assessors and the assessment of damages that may be sustained by reason of the opening of said road, with the right of appeal now reserved by law to the owners of lands through which the road may run.

Mode of proceeding.

Approved December 24th, A. D. 1890.

AN ACT TO FIX THE SALARIES OF THE TWO TRIAL JUSTICES
LOCATED AT ANDERSON COURT HOUSE, IN ANDERSON
COUNTY. No. 527.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That
 the Trial Justices located in the County of Anderson, in the
 County of Anderson, shall hereafter receive as compensation for
 their services in all criminal cases the sum of one hundred and
 fifty dollars each, instead of one hundred dollars as now pro-
 vided by law; the same to be paid in the same manner and sub-
 ject to the same conditions as now provided by law for the Trial
 Justices of said County.

Approved December 24th, A. D. 1890.

No. 528. AN ACT TO AUTHORIZE AND CONFIRM THE EXEMPTION OF
 CERTAIN PROPERTY IN THE CITY OF ANDERSON FROM
 CITY TAXATION FOR THE TERM OF TEN YEARS.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 the City Council of the City of Anderson be, and they are
 hereby, authorized and empowered to exempt the lands, build-
 ings, machinery and other property of the Anderson Tannery
 and Shoe Factory Company from taxation for any and all city
 purposes whatsoever for the term of ten years from the time
 that said mills begin to run, and for such reasonable period, not
 to exceed two years from the passage of this Act, as may be
 required to construct such mills and get them ready to begin
 operations: *Provided*, That said factory shall be located within
 the incorporate limits of said city, and the contract of the said
 City Council to this effect, when signed and delivered to the
 said the Anderson Tannery and Shoe Factory Company, shall be
 final, irrevocable and binding upon the City of Anderson for
 the time and upon the terms and conditions herein prescribed.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT TO REPEAL AN ACT ENTITLED 'AN ACT TO PROVIDE FOR THE ESTABLISHMENT A NEW SCHOOL DISTRICT IN ANDERSON COUNTY AND FOR THE LEVYING AND COLLECTION OF A SPECIAL TAX THEREIN,' APPROVED DEC. 15TH, 1885," APPROVED DEC. 24, 1889. A. D. 1890.
No. 529.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to repeal an Act entitled 'An Act to provide for the establishment of a new School District in Anderson County, and for the levying and collecting of a special tax therein,' approved Dec. 15th, 1885," approved Dec. 24th, 1889, be, and the same is hereby, amended by striking out the words "January" and inserting in lieu thereof the word "November." So that said Section when amended shall read as follows: A. A. 1889,
§2, ante 458,
amended.

SECTION 2. That this Act shall not go into effect until November 1st, 1891. When to take
effect.

Approved December 24th, A. D. 1890.

A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN SCHOOL CLAIMS FOR 1889-1890 IN SCHOOL DISTRICTS NOS. 1, 7, 9, 10 AND 16 IN ANDERSON COUNTY. No. 530.

Whereas, W. E. Meredith taught a public school in School District No. 1 in Anderson County, by agreement with the School Trustees of said School District, during the fiscal year commencing November 1st, 1889, before he was examined by the Board of County Examiners, but has since been examined by said Board and has secured a certificate; *and whereas* the said W. E. Meredith has filed his reports with the County School Commissioner, but is unable to obtain pay certificates for his work because of the want of authority in the School Trustees and the School Commissioner to sign pay certificates of teachers who did not hold certificates at the time of service: Therefore, Preamble.

A. D. 1890.

Certificate to
be given W. E.
Meredith.County Treas-
urer to pay.Apportionment
of school funds
in certain dis-
tricts.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly; and by the authority of the same, That the School Trustees of School District No. 1 of Anderson County and the School Commissioner of said County be authorized and empowered to sign the pay certificates to the said W. E. Meredith for his services for teaching during the fiscal year 1889, and the County Treasurer of Anderson County is hereby required to pay said claims out of any funds in his hands belonging to said School District for the present fiscal year on presentation of said pay certificates properly signed.

SEC. 2. The School Trustees of School Districts Nos. 7, 9, 10 and 16 in Anderson County having overdrawn the funds apportioned to them for the fiscal year 1889, the School Commissioner of said County in making the apportionment of school funds for the fiscal year 1890 shall provide for the payment of said overdrafts out of the funds respectively apportioned to said School Districts for said fiscal year.

Approved December 23d, A. D. 1890.

No. 531. AN ACT TO CHANGE THE NAME OF THE ANDERSON TANNERY AND SHOE FACTORY TO THAT OF THE "ANDERSON SHOE AND LEATHER COMPANY."

Name changed.

Not to affect
rights.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the Anderson Tannery and Shoe Factory, of Anderson County, S. C., be, and the same is hereby, changed to that of the Anderson Shoe and Leather Company: *Provided, however*, That the change of name hereby made shall not be construed to impair, affect or change any of the existing rights, duties, obligations, privileges, powers and immunities of said Anderson Tannery and Shoe Factory Company; but as to all such the Anderson Shoe and Leather Company shall stand as the Anderson Tannery and Shoe Factory would stand as if no such change had been made.

Approved December 24th, A. D. 1890.

AN ACT TO PERMIT ROLAND CASEY TO ADOPT VIRGIL B. MULLIKIN, AND TO CHANGE THE NAME OF THE SAID VIRGIL B. MULLIKIN TO VIRGIL B. CASEY.

A. D. 1890.

No. 532.

Whereas, Roland Casey, of the County of Anderson, has adopted an orphan child known at the time of said adoption by the name of Virgil B. Mullikin; *and whereas*, he is desirous of treating said child in every respect as his own, to make him his lawful heir, and to confer upon him his own name; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the said Virgil B. Mullikin shall hereafter be Virgil B. Casey.

Name changed.

SEC. 2. That the said Virgil B. Casey shall hereafter be deemed a legal heir of the said Roland Casey, and shall, upon the death of the said Roland Casey, providing he dies intestate, inherit his property as a son, in common with such other legal heirs as the said Roland Casey shall leave at the time of his death.

Made an heir of Roland Casey

Approved December 24th, A. D. 1890.

AN ACT TO CREATE A NEW SCHOOL DISTRICT WITHIN THE TOWNSHIP OF BLACKVILLE, IN BARNWELL COUNTY, TO BE KNOWN AS "THE BLACKVILLE SCHOOL DISTRICT," AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.

No. 533.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That that portion of Barnwell County lying within the following boundary lines, to wit: Two lines North and South respectively of the South Carolina Railroad, running parallel to the aforesaid railroad as it passes the passenger station of the said railroad at Blackville, two and one-half miles each from the aforesaid station, and running two and one-half miles East and West

School District designated.

- A. D. 1890.** respectively from a line running through the aforesaid station at right angles to the aforesaid railroad ; also two lines East and West respectively of a line running through the aforesaid station at right angles to the aforesaid road, running parallel to the aforesaid line, and at a distance of two and one-half miles each from the said line, as aforesaid, be, and is hereby, constituted a new School District, to be known as the "Blackville Graded School District."
- Name.**
- Board of Trustees.** SEC. 2. That C. C. Rush, J. H. E. Milhouse, Rev. W. D. McMillan, J. J. Wessinger, W. J. Martin, P. W. Farrell, J. P. Strobel, C. H. Mathis and I. F. Still, and their successors, to be elected by the stockholders of the Blackville Graded School Association, and thereupon appointed by the Superintendent of Education, be, and the same are hereby, constituted a Board of Trustees for said School District.
- Powers and duties.** SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights and liabilities now possessed by and pertaining to School Trustees. 2d. To determine the studies and class books to be used in schools of said District. 3d. To elect and dismiss the teachers, to fix their salaries, to prescribe their duties and term of office, and to make rules for the government of the schools. 4th. To make an annual report of the schools in this District to the Superintendent of Education on or before the first Monday in October in each year, to be forwarded through the office of School Commissioner of Barnwell County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the District herein created.
- Chairman, Secretary and Treasurer.** SEC. 4. That the Board of Trustees shall elect from its members a Chairman, and also a Secretary and Treasurer.
- Meetings of Board.** SEC. 5. That the Chairman shall call meetings of the Board whenever, in his judgment, it is necessary, or whenever three (3) members of the Board shall, in writing, request him to do so.
- School Commissioner excluded from jurisdiction.** SEC. 6. That the School Commissioner of Barnwell County shall have jurisdiction only over the schools and educational interests of his County not comprised within the corporate limits of the said new School District hereby created under the name of "The Blackville Graded School District."
- Extra school tax.** SEC. 7. That said School District is also hereby authorized and empowered to levy on all real and personal property re-

turned in said School District a local tax not exceeding two (2) mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the fifteenth day of January, 1891, and on or before the same day in each succeeding year, call a meeting in said School District of all the freeholders living in above named School District and returning real or personal property therein: *Provided*, That public notice of said meetings, specifying the time, place and object, shall be given at least ten (10) days before said meeting, by posting the same in three conspicuous places in the said School District, and by publishing the same at least twice in one of the newspapers having the largest circulation in said School District. The persons answering the above designations, when thus assembled, shall appoint a Chairman, and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman of said meeting shall, within one week thereafter, notify the Chairman of said Board of Trustees and the County Auditor of Barnwell County, respectively, of the amount of the tax thus levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said School District, and the County Treasurer of said County shall collect such tax with the other taxes for the same year, and said tax shall be liable to like processes and penalties as are State and County taxes.

A. D. 1890.

Meeting of
freeholders.Notice of
meeting.Powers of the
meeting.

Additional tax.

Notification,
assessment and
collection of tax

SEC. 8. The County Treasurer of the County of Barnwell shall hold all moneys arising from the Constitutional school tax and poll tax to which said School District may be entitled under the general provisions of law, or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of said School District.

School funds
to be subject to
Board.

SEC. 9. All moneys received by the County Treasurer from the local tax herein shall be protected by the official bond of said Treasurer, and shall be paid out only on the warrant of the said Treasurer of said Board of Trustees of the said School District.

To be protected
by Treasurer's
bond.

How paid out.

SEC. 10. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing
clause.

A. D. 1890.

Public Act.

SEC. 11. This Act shall be deemed a public Act, and shall take effect and be in full force immediately after the date of its passage.

Approved December 23d, A. D. 1890.

No. 534. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CREATE A SCHOOL DISTRICT OF THAT PORTION OF BARNWELL COUNTY LYING WITHIN THE CORPORATE LIMITS OF THE TOWN OF WILLISTON," AND TO CHANGE THE TITLE OF SAID ACT BY ADDING THE WORDS "AND TERRITORY ADJACENT THERETO."

A. A. 1888, ante
133, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the title of an Act entitled "An Act to create a School District of that portion of Barnwell County lying within the corporate limits of the Town of Williston" be, and the same is hereby, amended by adding the words "and territory adjacent thereto,"

Title changed.

so that said title when so amended shall read as follows: "An Act to create a School District of that portion of Barnwell County lying within the corporate limits of the Town of Williston and territory adjacent thereto."

Section 1
amended.

SEC. 2. That Section 1 of said Act be, and the same is hereby, amended by striking out the words "lying within the corporate limits of the Town of Williston," in the fourth and fifth lines thereof, and inserting in lieu thereof the following words: "Within the following limits: Extending East from the South Carolina Railway depot at Williston one and one-half miles, West to the Aiken County line, North and South three and one-quarter miles on lines running parallel to the South Carolina Railway track." So that said Section when so amended will read as follows:

Area of Will-
iston School
District.

SECTION 1. That that portion of Barnwell County within the following limits: Extending East from the South Carolina Railway depot at Williston one and one-half miles, West to the Aiken County line, North and South three and one-quarter miles on lines running parallel to the South Carolina Railway

track, be, and the same is hereby, created a special School District in said County, to be known as the Williston Graded School District.

A. D. 1890.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF ALLENDALE.

No. 535.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who shall have resided six months in the town of Allendale shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Allendale, and its corporate limits shall extend one mile in each direction from the centre of Main street at the railroad crossing.

Incorporation.

Name and area.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and shall have been residents of the said town for one year immediately preceding their election, who shall be elected on the 31st day of December, except when said day shall be on Sunday or a legal holiday the election shall be on December 30th in each year, ten days' public notice of such elections being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State and who shall have resided in the town six months immediately preceding the election, shall be entitled to vote for said Intendant and Wardens, those persons disqualified to vote at State elections excepted.

Intendant and Wardens.

Time of election.

Electors.

SEC. 3. That the election of Intendant and Wardens shall be held at some convenient public place in the said town, to be designated by the said Intendant and Wardens, from 9 o'clock in the morning till 5 o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and proclaim the election and give notice in writing to the persons elected. The Intendant and Wardens for the time being shall appoint three Managers to hold the ensuing or any subsequent election. Whenever there shall not be an Intendant

Regulations as to elections.

Managers.

A. D. 1890.

Order for an election.

Oath of Managers.

Oath of Intendant and Wardens.

Term of office.

Filling vacancies.

Intendant pro tem.

To have same jurisdiction as Trial Justices, except in civil actions.

Judicial powers.

Right of appeal.

and Wardens, or Intendant and Wardens, from any cause whatever, it shall be the duty of the Clerk of the Circuit Court of Barnwell County to order such an election forthwith and appoint three Managers to conduct the same. In every case the Managers of Election shall before opening the polls take an oath fairly and impartially to conduct the same. The Intendant and Wardens before entering upon the duties of their respective offices shall take the oath prescribed by the Constitution of this State and also the following oath, to wit: "As Intendant (or Warden) of the Town of Allendale, I will equally and impartially, to the best of my ability, exercise the trust imposed in me, and will use my best endeavor to preserve the peace and carry into effect according to law the purposes for which I have been elected. So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until their successors shall be elected and qualified.

SEC. 4. That in case a vacancy shall occur in the office of Intendant or Wardens by death, resignation, removal or otherwise, or in case of a tie in any election, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or Warden, as the case may be, or by order of the Clerk of the Circuit Court of Barnwell County if there should be no Intendant and Wardens or Warden, ten (10) days' public notice thereof being previously given; and in case of the sickness, temporary absence, resignation, removal or death of the Intendant, the Wardens shall be empowered to elect one of their number to act as Intendant during the time of such sickness or temporary absence, or, in case of resignation, removal or death, until an Intendant is duly elected and qualified.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during the term of office, severally and collectively, be vested with all the jurisdiction and powers which Trial Justices now or may hereafter have within the corporate limits of said town, except the trial of civil actions, and may impose and collect such fines and penalties severally and collectively as Trial Justices are by law authorized to do. That the Intendant or acting Intendant of said town shall have power and authority to sit and hear causes, impose fines and penalties, for violation of the ordinances of the said town as often as may be necessary:

Provided, That any person or persons tried and convicted and sentenced before the Intendant or acting Intendant shall have the right to appeal from such conviction and sentence to the Town Council sitting with full quorum; and the said Council

shall hear every such appeal *de novo* and without unnecessary delay: *Provided, further*, That written notice of the intention to appeal must be given to said Intendant or acting Intendant within twelve hours after sentence is pronounced. The Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom with the Intendant, or any three of the Wardens, may constitute a quorum to transact business, and they shall be known by the name of the Town Council of Allendale. The said Town Council shall elect annually a Clerk and Treasurer, (one to hold both offices,) who shall give a bond in the sum of \$3,000, with two or more sureties, to be approved by said Council, whose duty it shall be to take charge of and protect the finances and property of said town and keep all books and records belonging to said Council, and to perform such other duties as required by this Act and prescribed by the by-laws and ordinances of said town. The said Town Council of Allendale, and their successors hereafter to be elected, shall have a common seal, which shall be affixed to all their ordinances; may sue and be sued, may plead and be impleaded, in any Court of law or equity in this State; and purchase, hold, possess and enjoy to them and their successors, in perpetuity or for any term of years, any estate, real or personal or mixed, and sell, alien, convey and lease the same: *Provided*, The same shall not exceed at any one time the sum of twenty thousand dollars. And the said Town Council shall have full power and authority to establish and authorize the establishment of a market house in said town, and to prescribe suitable rules and regulations for the same; and to establish or authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same. And the said Town Council shall have full power and authority under their corporate seal to make all such rules, by-laws and ordinances respecting the streets, roads, drainage, market houses and business thereof, buildings, trade and police system of said town as shall appear to them necessary and proper for the security, welfare and convenience of the said town, and for preserving health, peace, order and good government and morals within the same; and the said Town Council may fix and impose fines and penalties and imprisonment in the guard house for a violation thereof, and appropriate the fines to the public use of the said corporation. And the said Town Council shall have the same power which Trial Justices now

A. D. 1890.

Hearing of
appeal.Council meet-
ings.

Quorum.

Name.

Clerk and
Treasurer.

Duties.

Seal.

Sue and be
sued.

Property rights.

Limit.

Market.

Guard House.

Streets, mar-
kets, police, &c.Fines and
penalties.

Witnesses.

- A. D. 1890.** have or shall hereafter be vested with to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person for a violation of any of these by-laws or ordinances; and in the trial of all offenders against the by-laws or ordinances of the said town, the Town Council shall be governed by the same rules of procedure and evidence as are now or shall hereafter be prescribed for the government of Courts of Trial Justices in criminal cases, except that trial by jury shall not be required or allowed for the violation of the police regulations of said town. All fines imposed by the said Town Council for any violation of ordinances or by-laws shall be entered in the form of a judgment in a book kept for that purpose by the Town Council, similar to such entries required to be made by Trial Justices now or hereafter; and said fines may be collected by an execution issued by the Clerk of the Town Council, tested by the corporate seal and directed to the police officer of said town, who shall seize such property of the defendant as shall be subject to the execution, and sell the same to satisfy the said judgment, in a public place, after ten days' advertisement on a public place in said town: *Provided*, That no fine shall be collected by the said Town Council above the sum of fifty dollars: *And provided, also*, That no imprisonment shall exceed thirty days.
- Rules of trial.**
- No jury.**
- Judgment book.**
- Executions.**
- Limit to punishment.**
- Nuisances.** SEC. 6. That the said Town Council shall have power to abate and remove all nuisances in the said town.
- Streets, bridges, &c.** SEC. 7. That the Town Council shall keep all roads, streets, ways and bridges within the corporate limits open and in good repair, and for that purpose they are invested with all the powers granted to County Commissioners. They shall have power to classify and arrange the inhabitants of said town whom they may ordain liable to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now or shall hereafter be prescribed by ordinance of the said town; and any person who shall be liable to street or road duty in the said town and shall refuse to perform the same without good excuse shall incur the same penalty now or hereafter prescribed by statute for persons who fail, having no justifiable excuse, to work the public highways of the County of Barnwell, and enforceable in the same way, except that such offenders shall be tried before the said Town Council instead of a Trial Justice: *Provided*, The said Town Council shall have full power to compound with persons liable to perform such
- Street duty.**
- Penalty for refusal.**
- Compounding for street duty.**

duty, upon such terms and upon the payment of such sums of money as may be established by ordinance. The money so received to be applied to the public use of the said corporation : *And provided, also,* That individuals who compose the said Town Council shall be exempt from the performance of street and police duty, and the inhabitants of the said town shall be exempt from road duty without corporate limits of said town ; and that the said Town Council shall have full power to lay out and open new streets in said town, and to close up, widen or otherwise alter those now in use or may hereafter be established, whenever, in their judgment, the same may be necessary for the improvement or convenience of the said town : *Provided,* That they shall first pay damages, to be fixed and determined by arbitration, one arbitrator to be selected by said corporation, another by the owner of the said premises, who shall select a third, and the proceedings and award of the said arbitration shall be subject to review and appeal to the Circuit Court of the said County, as appeals from Court of Trial Justices.

A. D. 1890.

Exemptions.

Opening and closing of streets.

Damages to land owner.

SEC. 8. That the said Council shall have full power to grant or refuse license to retail spirituous liquors within the corporate limits of the said town, upon such conditions and under such circumstances as to them shall seem right and proper. No such license to continue for a longer period than their term of office. Also to license billiard tables, auctioneers, itinerant trades, butchers, livery and sales stables, hotels, hucksters, drivers of public drays or vehicles, ten pin alleys, or any kind of game, exhibition or sport of skill or chance, for the practice of any profession or carrying on any trade, art or business within the corporate limits of said town, and to fix the prices thereof. And the said Town Council shall appropriate the revenues derived from the sources stated in this Section to the public use of said corporation, and shall have full power to regulate by ordinance the granting of said licenses and the imposition of the said taxes, and to prescribe penalties for the violation thereof : *Provided,* That the said Town Council is hereby authorized and empowered to appropriate the surplus revenues of the said town derived from any source whatever, beyond an amount necessary to meet the requirements of the said town and the police regulations thereof, to supplement the special School District tax for the purpose of carrying on the public schools in said town.

Liquor licenses.

Period.

Other licenses.

Appropriation of revenues.

Surplus revenue may be given to schools.

SEC. 9. That the said Town Council shall have power to elect or appoint one or more Marshals, who shall be duly sworn in

Marshals.

- A. D. 1890.** and vested with all the powers Constables now have, or shall hereafter be endowed with by Statute, and whose jurisdiction shall be confined to the corporate limits of said town, and who shall be liable to removal at the pleasure of the said Council ;
- Powers of commitment.** and the Intendants and Wardens, or any one or more of them, are hereby authorized to require the Marshal or Marshals of said town, or any special Constables appointed by said Intendant and Warden or Wardens, for that purpose, to commit to the guard house of said town any person who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them, there to remain until arraignment for trial before the said Town Council, which shall be speedily granted the accused.
- Speedy trial to be had.**
- Arrest and punishment.** SEC. 10. The said Town Council shall have full power to cause the arrest of any person or persons who shall be guilty of disorderly conduct in said town to the annoyance of the citizens thereof, and to punish such disorderly persons by imposing a fine not exceeding fifty dollars, and by imprisonment in the guard house for a term not exceeding thirty (30) days, or by sentence to labor on the streets of said town not exceeding thirty days. That either one or two of the said sentences may be imposed at one and the same time, in the alternative, in the discretion of the Council : *Provided*, That any person sentenced to labor upon the streets of the said town shall have the privilege of commuting the said sentence by paying therefor at the rate of fifty cents per day for each day embraced in said sentence.
- Sentences.**
- Labor on streets.**
- Executions.** In case any fine is imposed and not paid the said Town Council shall have power to issue execution and collect the same by levy and sale of the property of the defaulter. It shall be the duty of the Marshal or police of the said town to arrest all disorderly persons, and to call to his assistance the *posse comitatus*, if necessary, and upon failure to perform such duty he shall be fined in a sum not exceeding twenty dollars for each and every offense.
- Posse comitatus.**
- Taxation.** SEC. 11. That the said Town Council shall have power to impose and collect, in advance, an annual tax upon the assessed real and personal property in the said town, and such tax shall not exceed in any one year the rate of twenty-five cents on each one hundred dollars' worth of the assessed value of such property, which valuation shall be ascertained from the taxpayers,
- Limit.**

under oath, by the assessors appointed for that purpose by the Town Council, which assessors shall take the oath to value the said property, according to the best of their knowledge and understanding, faithfully and impartially; and these assessments so made shall be taken and received as the true value thereof, shall be entered in a book, signed by the assessors and returned to the Clerk of the said Town Council: *Provided*, That taxpayers shall have thirty days from the return of the said assessment in which to complain thereof, upon the entry of which the Town Council may for good cause shown lower any assessment.

A. D. 1890.

Assessment of property.

Returned to the Clerk.

Complaints.

SEC. 12. That all persons liable to taxation shall make payment of their taxes to the Clerk or the Treasurer of the said Town Council, or to such other person as may be authorized to receive them, and upon failure to make such payment as required the party or parties so in default shall be subject to the penalties and remedies provided, or which shall hereafter be provided, by law for the failure to pay the general State and County tax, to be enforced in like manner by the Town Council by execution for the use of the said town, except that in such cases execution to enforce the payment of such taxes shall be issued under the seal of the corporation, signed by the Clerk and directed to the Marshal, or any person appointed by the said Council to levy, collect and receive the same, with costs, as in such cases made by law; and all property upon which such taxes shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to all other debts except debts due to the State, which shall be first paid.

Payment of taxes.

Penalties.

How enforced.

Lien for taxes.

SEC. 13. That each Town Council shall within one month after the expiration of term of office pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and papers incident to the office, as well as all property of every description to the said town belonging, to their successors in office; and on failure to do so they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the said Town Council.

Accounting to successors.

Penalty for failure.

SEC. 14. That the first election for Intendant and Wardens under this charter shall be held on the 31st day of December, 1891, and until that election is held and the Intendent and Wardens who then be elected shall be duly qualified and installed into office, the Intendant and Wardens of the said town now holding said offices shall continue in office and be known as the

First election.

Present Council continued.

A. D. 1890. Town Council of Allendale. And all ordinances, rules and regulations which are now in force in the said town, and all contracts and all acts done by the said Town Council, shall continue and be of force to the same extent, tenor and effect as now exists, and nothing herein shall be deemed or taken in any way to impair any such rules, regulations, ordinances and contracts of the said Town of Allendale. That all Acts and parts of Acts heretofore passed in relation to the Town of Allendale which are inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Ordinances,
acts, contracts,
&c., continued.

Repealing
clause.

Approved December 24th, A. D. 1890.

No. 536. AN ACT TO INCORPORATE THE TOWN OF MONIE, IN BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or may hereafter be inhabitants of the Town of Monie shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known by the name of Monie and the limits shall extend one-half mile in every direction from the Blackville, Alston and Newberry Railroad depot.

Name and
limits.

Rights and
limitations.

19 Stat., 174.

Public Act.

Duration.

SEC. 2. That said Town of Monie shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Approved December 24th, A. D. 1890.

OF SOUTH CAROLINA.

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AN ACT TO REGULATE THE SALE OF DRESSED BEEF IN BEAUFORT COUNTY.

A. D. 1890.

No. 537.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act it shall be unlawful for any person of Beaufort County to sell, offer for sale, or barter any dressed beef or veal that has been killed within the said County unless the person offering the same for sale or barter shall exhibit publicly the head and hide of the cattle so offered for sale or barter.

Head and hide
to be exhibited.

SEC. 2. That any violation of this Act shall be deemed a misdemeanor, and shall be punished by a fine of not more than ten dollars or by imprisonment in the County jail of not more than thirty days.

Penalties.

Approved December 24th, A. D. 1890.

AN ACT TO DEFINE THE TERRITORIAL JURISDICTION OF TRIAL JUSTICES IN BEAUFORT COUNTY AND PRESCRIBE THE PLACE OF TRIAL.

No. 538.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all persons arrested charged with any offense against the laws of this State in the County of Beaufort shall be carried before the Trial Justice nearest the place where the offense was committed for trial or preliminary examination, as the case may be, and all civil actions in said Courts shall be tried in the township in which the defendant resides, subject to the right of removal as provided by law.

Place of preliminary
examinations.

And of trial
of civil actions.

Approved December 24th, A. D. 1890.

A. D. 1880. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE
 No. 539. THE BUILDING OF A COUNTY JAIL FOR BEAUFORT COUNTY
 AND THE SALE OF THE PRESENT JAIL," APPROVED DECEMBER 17, 1889.**

A. A. 1889, **SECTION 1. *Be it enacted* by the Senate and House of Repre-**
 82, ante 464, **sentatives of the State of South Carolina, now met and sitting**
 amended. **in General Assembly, and by the authority of the same, That**
Section 2 of an Act entitled "An Act authorizing the building
of a County jail for Beaufort County and the sale of the present
jail," approved December 17, 1889, be, and the same is hereby,
amended by inserting after the word "jail" the word "build-
ing," and by adding at the end of said Section the following
words: "And the County Commissioners be, and they are hereby,
authorized and directed to convey the lot upon which the jail
now stands to the Town of Beaufort." So that said Section
when so amended shall read as follows:

Section as **SECTION 2. That upon the completion of said jail, the County**
 amended. **Commissioners, after due advertisement, be, and they are hereby,**
Sale of jail. authorized and required to sell the present jail building and pay
the sum received therefor into the County treasury of said County,
New jail. to be applied to the payment of the expenses of building said
Sale of lot. new jail; and the said County Commissioners be, and they are
hereby, authorized and directed to convey the lot upon which
the jail now stands to the Town of Beaufort.

Section 3 **SEC. 2. That Section 3 of said Act be amended by striking out**
 amended. **the figures "1889-90" and the word "and" and inserting after**
the figures "1890-91" the word "and" and the figures
"1891-92." So that said Section when so amended shall read
as follows:

Section as **SECTION 3. That for the purpose of raising a fund for the**
 amended. **purpose of construction it shall be the duty of the County Au-**
Tax. ditor to assess a tax of one (1) mill upon the taxable property of
the County for the fiscal year 1890-91 and 1891-92, and the
Treasurer shall collect the same in the same manner and at the
same time at which other County and State taxes are collected.

Section added. **SEC. 3. That the following Section be added to said Act, to**
be designated Section 6:

Compensation **SECTION 6. That the said Commissioners shall each receive as**
 to Commis- **compensation for their services as such Commissioner the sum**
 sioners. **of fifty dollars, to be paid by the County Treasurer, out of said**
jail fund, on their joint warrant.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE "COLLETON LAND AND IMPROVEMENT COMPANY" AND AUTHORIZE IT TO ERECT DOCKS, WHARVES AND LANDINGS.

A. D. 1890.

No. 540.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That S. M. Solomon, W. B. Sparks, George W. Gustin, Jeff Lane and O. G. Sparks, Jr., and all and every other person or persons hereafter becoming members of the "Colleton Land and Improvement Company," of Beaufort County, their successors and assigns, be, and the same are hereby, declared a body politic and corporate under the style and name of the "Colleton Land and Improvement Company;" and by that title shall have perpetual succession, and be capable in law of purchasing, using, holding, letting, improving and disposing of such real and personal property as may be necessary for the objects of this incorporation; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of law and equity; and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever necessary for the said purposes; and may have and use a common seal, which they shall have power to renew or alter at pleasure; to make such by-laws for the government of said corporation as are consistent with this Act and the laws and Constitution of this State and the United States, and generally may do every act or thing necessary to carry into effect the provisions of this Act, and promote the objects and designs of said company, as authorized by this Act.

Corporators.

Incorporation
and name.

Succession.

Property rights.

Other rights.

By-laws.

Other acts.

Capital stock.

SEC. 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to two million dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner: The following named persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit: S. M. Solomon, W. B. Sparks, George W. Gustin, Jeff Lane and O. G. Sparks, Jr. The said Commissioners, or a majority of them, shall open books at such places and times as they shall appoint and receive subscriptions to the said stock; and every person who shall become a holder or entitled to one or more shares of the said stock shall thereupon become a member of the "Colleton Land and Improvement Company" hereby incorporated; and every person on being divested of all shares of said stock, by

Subscriptions.

Members.

A. D. 1890. transfer or otherwise, shall thereupon cease to be a member of said company: *Provided*, That the Board of Directors shall have power, in like manner and at such times as they shall see fit, (by and with the consent of the majority of the stockholders in ratio of shares) to increase the said capital to the sum of two million dollars.

Increase of capital stock.

Liability of stockholders. SEC. 3. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by such stockholders at the time the demand of the creditor was created: *Provided*, That such demands shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within two years after the debt becomes due, and while he, she or it remains a stockholder therein, or within two years after he, she or it shall have ceased to be a stockholder: *And provided, further*, That persons holding stock in said corporation as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hand of such executors or administrators shall be liable in their hands, in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in said trust estate, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Provisoes.

Executors and other Trustees.

Organisation. SEC. 4. That when one thousand shares of said stock shall be subscribed and paid in, the members of said company shall proceed to elect, after having given ten days' notice in any newspaper of the Counties of Beaufort or Charleston of the time and place of such election, three Directors, who shall continue in office until the second Tuesday in January, 1892, and until others shall be chosen; and the members of the said company shall annually thereafter, on the second Tuesday in January, elect from the stockholders of said company three Directors, to serve for the term of twelve months and until others shall be chosen; and the election of Directors shall be conducted in accordance with the by-laws or regulations hereafter to be made by a majority of the stockholders, who may vote either in person or by proxy; and all elections shall be by ballot; each share of stock on which all installments due have been paid shall entitle the holder thereof

Directors, number and term of office.

Conduct of election.

to one vote ; and the three persons who shall receive the greatest number of votes shall be the Directors, which said Directors, during their term of service, shall have the sole management and direction of the stocks, property, affairs and concerns of said company. And the number of Directors may be increased or diminished as the by-laws or articles of association may direct.

SEC. 5. That the capital stock of said company shall be deemed personal property, and transferable only on the books of the company in such manner as the by-laws or articles of association shall direct ; and any of the owners of the lands herein authorized to be purchased by the said company may take stock to the amount of the whole or any part of his, her or their interest therein.

SEC. 6. That the said company be, and it is hereby, empowered to improve all such lands as it owns, or may hereafter purchase, by laying out the same into lots, streets, squares, lanes, alleys and other divisions ; by leveling, raising and grading the same, or making thereon all such wharves, workshops, factories, warehouses, stores, dwellings, tramways or street railways, and such other buildings and improvements as may be found or deemed necessary, ornamental or convenient, and constructing on the lands of the said company aqueducts and reservoirs for conveying, collecting and providing pure and wholesome water, and letting, renting, leasing, mortgaging, selling or changing the same, or using any lot or other portion of any of the said lands for depots, and for agricultural, mining or manufacturing purposes ; and it shall have power to purchase, fill up, occupy, possess and enjoy all lands covered with water fronting and adjoining the lands that may be owned by it : *Provided*, Said company shall have first acquired such rights by grant, purchase or otherwise : *And provided, further*, It shall not impair the navigation of any stream, nor injure the property rights of others ; and it may construct thereon wharves, harbors, piers and slips, and all other structures requisite or proper for commercial and shipping purposes ; and it may enjoy ferry rights on all lands owned by said company suited for such purposes or when it shall have purchased the ferry right from the owners thereof ; and it may also purchase and build steamboats, steamers and other vessels.

SEC. 7. That said company shall be at liberty to subscribe for and take stock in any company that now is, or hereafter may be, incorporated by the Legislature of this State ; and said company

A. D. 1890.

Their powers.

Number.

Capital stock
to be personal
property.Improvement
of lands.Erection of
improvements.

Water front.

Provisoes.

Wharves, piers,
&c.

Ferries.

Vessels.

Stock in other
companies.

- A. D. 1890.** is hereby empowered and authorized to issue bonds, secured by
Bonds and liens lien on the property of the said corporation, to an amount not
 exceeding the value of the property owned by said corporation,
Proviso. with interest on said bonds payable semi-annually: *Provided,*
 That before any such bonds are issued their issue shall be ap-
 proved of and sanctioned by at least two-thirds in amount of
 the stock of the said company.
- Offices.** SEC. 8. That the office of the said company shall be located
 in Beaufort County, but said company may, for its own con-
 venience, establish offices in the Cities of Charleston and Co-
 lumbia.
- Duration.** SEC. 9. That all the corporate powers, rights and privileges
 hereby granted shall cease and determine at the expiration of
 ninety years from the date of this Act.
- Repealing clause.** SEC. 10. That all Acts or parts of Acts inconsistent with the
 provisions of this Act be, and the same are hereby, repealed.
- Approved December 24th, A. D. 1890.
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No. 541. AN ACT TO INCORPORATE THE BLUFFTON WHARF COMPANY.

- SECTION 1.** *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
- Corporators.** Joseph A. Huger, Jr., Lewis W. Haskell, William Gaston,
 Allen Egbert DuBois, J. C. Snyder, Geo. C. Heyward, Paul H.
 Lynch, and such other persons as may be associated with them,
 be, and they are, created a body corporate, under the name of
 the Bluffton Wharf Company.
- Incorporation and name.**
- Capital stock.** SEC. 2. That the capital stock of said company shall be \$300,
 with the privilege to increase the same to \$2,000, which capital
 stock to be in shares of five dollars each, and may be transfera-
 ble in such manner as the by-laws may direct.
- Wharves and warehouses.** SEC. 3. That said company may own and operate the wharf
 and warehouse thereon that they have already built at the foot
 of Calhoun street, in the Village of Bluffton, and charge and
 collect tolls of wharfage and storage, and to maintain the said
 wharf toward the channel of May River from the foot of Cal-

houn street as far as may be necessary to obtain the proper depth of water for vessels and steamers landing thereat.

SEC. 4. That this Act shall be a public Act and continue for thirty years.

A. D. 1890.

Public Act.

Duration.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE MAY RIVER CLUB AND IMPROVEMENT COMPANY. No. 542.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. N. Heyward, John Lawton, Joseph A. Huger, Jr., H. D. Stevens, W. E. Guerard, Paul H. Lynah, Geo. C. Heyward, S. D. Ravenel, Wm. Gaston Allen, T. S. Heyward, Paul Pritchard, M. D., be, and they are hereby, created a body corporate, under the name of the May River Club and Improvement Company.

Corporators.

Incorporation and name.

SEC. 2. That whenever the sum of one thousand dollars shall have been subscribed to the capital stock of the said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place of meeting of said stockholders, of which fifteen days' notice shall be given in the Charleston News and Courier, and the said stockholders may proceed to the organization of the said company by the election of such officers as the stockholders may determine. That the capital stock of the company may be increased from time to time, as the said stockholders may determine, to any sum not exceeding ten thousand dollars. Such capital stock shall be in shares of twenty-five dollars each, and may be transferable in such manner as the laws may direct.

Organization.

Election of officers.

Capital stock.

SEC. 3. That said company may construct and own a wharf to be erected at the foot of the old wharf street in the Village of Bluffton, to extend towards the channel of the May River, and erect on the said wharf warehouses, club rooms and boat houses, and may charge for wharfage and storage, and have all

Wharves, club houses.

A. D. 1890.

Powers.

Public Act.

Duration.

the corporate rights, powers and privileges prescribed by law to such corporations.

SEC. 4. That this Act shall be a public Act, to take effect from its passage, and remain in force thirty years.

Approved December 24th, A. D. 1890.

No. 543. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE TOWN OF PORT ROYAL."

A. A. 1880,
§ 6, 17 Stat., 246,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend the charter of the Town of Port Royal," approved February 20th, 1880, be, and the same is hereby, amended by striking out the words "fifty cents" on line 8 of Section 6 and inserting in lieu thereof the words "one hundred cents." So that said Section 6 when amended shall read as follows :

Section as
amended.

Listing and
assessment.

Assessors.

Taxes.

Enforcement.

Execution.

Certificate of
purchase.

Right of re-
demption.

SECTION 6. The Town Council may require all persons owning property, real or personal, within the said town to list the same for taxation, and may impose a penalty not exceeding twenty-five per cent. of the value of the property for failure to list the same within the prescribed time ; and they may annually appoint a suitable person or persons to assess the value of all taxable property upon the basis prescribed by law. They may impose an annual tax not exceeding one hundred cents on every hundred dollars of the assessed value of all such property and fix the time for the payment thereof, and may enforce the payment of all taxes so levied to the same extent and in the same manner as is provided by law for the collection of State and County taxes, except that the Town Council shall appoint a time for the sale of delinquent lands ; and except the execution to enforce the collection of all taxes shall be issued by the Clerk and shall be directed to the Marshal of the town. And the Clerk shall give to the purchaser thereof a certificate of the sale of such property under the seal of the town, which shall vest the title to such property in the purchaser, subject to redemp-

tion within two years upon such terms as the Town Council may by ordinance prescribe.

A. D. 1890.

Approved December 24th, A. D. 1890.

AN ACT TO LIMIT AND FIX THE NUMBER OF TRIAL JUSTICES AND CONSTABLES IN BERKELEY COUNTY AND TO PROVIDE FOR THE MANNER AND AMOUNT OF THEIR COMPENSATION. No. 544.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor do appoint, by and with the advice and consent of the Senate, sixteen Trial Justices for the County of Berkeley, and no more, to hold their offices for the term of two years unless sooner removed by the Governor—first term to begin on the first day of January, 1891, and end on the thirty-first day of December, 1892, and should any vacancy occur the term of the appointee to said vacancy shall expire at the same time of the unexpired term of the original appointee.

Governor to appoint 16 Trial Justices.

Term.

Vacancies.

SEC. 2. That the said Trial Justices shall be located and receive compensation as follows: One for Edisto Island; one for Wadmalaw Island; one for John's Island; one for St. Andrew's; three for St. James Goose Creek; two for St. John's Berkeley; two for St. Stephen's; one for St. Thomas and one for St. Dennis; and one for Christ Church and two for St. James Santee. The said Trial Justices shall each receive a salary of one hundred dollars per annum, such salary to be in lieu of all costs and fees in criminal cases, and such costs and fees when collected shall be turned over to the County Treasurer as now provided by law, and shall be payable quarterly by the County Treasurer upon a warrant issued from the Board of County Commissioners against such funds as may be on hand for such purpose, said salary to be paid after a verified quarterly report has been made to said County Commissioners of all fees, costs and fines received and that the same has been paid over to the County Treasurer; and each of the said Trial Justices shall be entitled to appoint a Constable to serve and execute such process as he may issue; and that each of the said Constables

Location.

Salary in lieu of costs.

Fees to be paid over.

When payable.

A. D. 1890. shall receive as compensation for his services and in lieu of all costs and fees in criminal cases the sum of one hundred dollars per annum, payable quarterly by the County Treasurer upon a warrant issued from the Board of County Commissioners against such funds as may be on hand for such purpose.

Constables and their pay.

When to take effect.

SEC. 3. That this Act shall take effect from the date of its approval.

Repealing clause.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

No. 545. AN ACT TO AMEND THE CHARTER OF THE EBENEZER PRESBYTERIAN CHURCH.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in addition to all the rights, franchises and immunities heretofore granted to and now enjoyed by the Ebenezer Presbyterian Church of Charleston, the said corporation shall have the further right from time to time hereafter to mortgage the whole or any part or parts of any property owned by it, for the purpose of securing any bond or bonds, obligation or obligations, contract or contracts, made or to be made by said corporation, and for any other purpose, in such manner as to the said corporation shall seem proper and necessary.

Power to mortgage.

When to take effect.

SEC. 2. That this Act shall go into effect immediately upon its approval.

Approved December 23d, A. D. 1890.

No. 546. AN ACT TO AMEND THE CHARTER OF THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That in addition to all the rights, franchises and immunities heretofore granted to and now enjoyed by the Young Men's Christian Association of Charleston, the said Association shall have the further right, from time to time hereafter, to mortgage the whole or any part or parts of any property owned by it, for the purpose of securing any bond or bonds, obligation or obligations, contract or contracts, made, or to be made, by said corporation, and for any other purpose, in such manner as to the said Association shall seem proper and necessary.

A. D. 1890.

Power to mortgage.

SEC. 2. That this Act shall go into effect immediately upon its approval.

When to take effect.

Approved December 23d, A. D. 1890.

AN ACT TO RENEW THE CHARTER OF THE WEST POINT MILL COMPANY. No. 547.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the West Point Mill Company be, and the same is hereby, renewed for the term of thirty years from the date of the approval of this Act, and until the session of the General Assembly subsequent thereto, with all the rights and privileges heretofore granted to said company.

Renewal.

Duration.

SEC. 2. That this Act shall take effect from the date of its approval.

When to take effect.

Approved December 23d, A. D. 1890.

AN ACT TO INCORPORATE THE DOMESTIC BUILDING AND LOAN ASSOCIATION OF CHARLESTON. No. 548.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. Corporators.	in General Assembly, and by the authority of the same, That J. E. Burke, J. M. F. Burnham, Dr. B. A. Muckenfuss, J. Powell Reed, Asher D. Cohen, E. C. Steinmeyer, together with such other persons who are or hereafter may be associated with
Incorporation and purposes.	them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgages on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name
Name.	and style of the Domestic Building and Loan Association of
Capital stock.	Charleston, the capital stock of said association to consist of not more than two thousand five hundred shares, but as soon as one thousand shares are subscribed thereto the said association shall
Organization.	organize and commence operations, said shares to be paid by
Shares of stock.	successive monthly installments of one dollar on each share as long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.
By-laws.	SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land;
Succession.	shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a
Seal.	common seal, and may alter the same at will; may sue and be
Sue and be sued.	sued, plead and be impleaded, in any Court of competent jurisdiction in this State; and shall have and enjoy all and every
Other rights.	right and privilege incident and belonging to corporate bodies according to the laws of the land.
Property rights.	SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same from time to time to its members or others, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: <i>Provided</i> , That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.
Limit.	SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations
Investment of funds.	

as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same as they from time to time may deem expedient.

A. D. 1890.

May acquire property.

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may thus be on hand to others than stockholders and members at any rate of interest agreed upon not exceeding the legal rate.

Loans to non-members.

SEC. 6. That whenever the funds and assets of said corporation shall have accumulated to such an amount that upon a fair and just division thereof each stockholder and member shall have received or be entitled to receive the sum of two hundred dollars or property of that value for each and every share of stock by him or her so held, and when such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

Distribution and dissolution.

SEC. 7. That each stockholder shall pay one dollar per month in addition to his or her assessment, upon each and every share the ultimate value whereof may be advanced to him or her, until the association shall cease and determine. And such transaction shall not be considered usurious, any law to the contrary notwithstanding, though the said additional amount shall be more than eight per cent. per annum upon the amount actually loaned to him or her after deducting the premium according to the by-laws for the privilege of obtaining such advance.

Monthly payments on shares redeemed.

Not usurious.

SEC. 8. That the members of the said corporation shall be individually liable for the debts of said corporation, each member to the extent of one year's dues which such member may owe to the said corporation according to its by-laws in the year in which he or she may be sued for said corporation debt, but such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.

Liability of stockholders.

SEC. 9. That any fraudulent misrepresentation by any officer or stockholder of the said corporation as to the capital, property and resources of such corporation shall be deemed a misdemeanor, punishable by fine not exceeding two thousand dollars

Fraudulent misrepresentations.

A. D. 1890. (\$2,000.00) or imprisonment for not longer than two years, or both, at the discretion of the Court.

Public Act. SEC. 10. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same, and shall take effect immediately.

Approved December 24th, A. D. 1890.

No. 549. AN ACT TO INCORPORATE THE "NATIONAL LAND, IMPROVEMENT AND MANUFACTURING COMPANY."

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Corporators.	J. H. Steinmeyer, George E. Toale, J. N. Mallonee, Henry N. Pregnall, John E. Boinest and H. S. Bayer, and all and every person or persons hereafter becoming members of the National Land, Improvement and Manufacturing Company, of Charleston County, their successors and assigns, be, and the same are
Incorporation and name.	hereby, declared a body politic and corporate, under the name and style of the "National Land, Improvement and Manufacturing Company," and by that title shall have perpetual succession, and be capable in law of purchasing, leasing, using, holding, letting, improving and disposing of such real and personal property as may be necessary for the objects of this incorporation ; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of law and equity ; and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever necessary for the said purposes ; and may have and use a common seal, which they shall have power to renew or alter at pleasure ; to make such by-laws for the government of said corporation as are consistent with this Act and the laws and Constitution of this State and the United States, and generally may do every act or thing necessary to carry into effect the provisions of this Act and promote the objects and designs of said company, as authorized by this Act.
Succession.	
Property rights.	
Sue and be sued.	
Deeds, contracts, &c.	
By-laws.	
Other powers.	
Capital stock.	SEC. 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same

to two million dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner : The following named persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit : J. H. Steinmeyer, George E. Toale, J. N. Mallonee, Henry N. Pregnall, John E. Boinest and H. S. Bayer. The said Commissioners, or a majority of them, shall open books at such places and times as they shall appoint, and receive subscriptions to the said stock ; and every person who shall become a holder or entitled to one or more shares of the said stock shall thereupon become a member of the " National Land, Improvement and Manufacturing Company," hereby incorporated ; and every person on being divested of all shares of said stock, by transfer or otherwise, shall thereupon cease to be a member of the said company : *Provided*, That the Board of Directors shall have power, in like manner and at such times as they shall see fit, (by and with the consent of the majority of the stockholders, in ratio of shares,) to increase the said capital to the sum of two million dollars. The said capital stock to be paid in monthly installments of one dollar for each share ; and whenever the books of said company shall show net earnings equal to a dividend of six per cent. per annum on the par value of the capital stock, the said company shall issue the stock to the subscribers thereof without the collection of further installments : *Provided*, That any subscriber shall have the right to anticipate the payment of his subscription, by paying fifty installments in advance, and have the stock issued to him as fully paid up. All subscriptions to the capital stock of said company shall be payable in current funds, labor or property, on such terms as the Board of Directors may prescribe.

A. D. 1890.

Subscriptions.

Members.

Increase of capital stock.

Payments on stock.

Advance payments.

How payable.

Liability of stockholders.

Provisoos.

Executors and other trustees.

SEC. 3. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by such stockholders at the time the demand of the creditor was created : *Provided*, That such demand shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within two years after the debt becomes due, and while he, she or it remains a stockholder therein, or within two years after he, she or it shall have ceased to be a stockholder : *And provided, further*, That persons holding stock in said company as trustees or executors, administra-

A. D. 1890.

tors, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such executors or administrators shall be liable in their hands, in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in said trust estate, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Election of
Directors.

SEC. 4. That when two hundred shares of said stock shall be subscribed, the members of said company shall proceed to elect, after having given ten days' notice in any newspaper of the County of Charleston of the time and place of such election, seven Directors, who shall continue in office until the first Thursday in January, 1892, and until others shall be chosen; and the members of the said company shall annually thereafter, on the first Thursday in January, elect from the stockholders of said company seven Directors, to serve for the term of twelve months, and until others shall be chosen; and the election of Directors shall be conducted in accordance with the by-laws or regulations hereafter to be made by a majority of the stockholders, who may vote either in person or by proxy; and all elections shall be by ballot. Each share of stock on which all installments due have been paid shall entitle the holder thereof to one vote, and the seven persons who shall receive the greatest

Conduct of
election.

Voting.

Powers of
Directors.

number of votes shall be the Directors, which said Directors, during their term of service, shall have the sole management and direction of the stocks, property, affairs and concerns of said company, and the number of Directors may be increased or diminished as the by-laws or articles of association may direct.

Capital stock
to be personal
property.

SEC. 5. That the capital stock of said company shall be deemed personal property, and transferable only on the books of the company, in such manner as the by-laws or articles of association shall direct; and any of the owners of the lands herein authorized to be purchased by the said company may take stock to the amount of the whole or any part of his, her or their interest therein.

Improvement
of land by sub-
divisions into
lots, streets, &c.
Street railways.

SEC. 6. That the said company be, and it is hereby, empowered to improve all such lands as it owns, or may hereafter purchase, by laying out the same into lots, streets, squares, lanes, alleys, and other divisions, by leveling, raising and grading

the same, or making thereon all such tramways or street railways, and operate the same by steam or other motive; and they shall have power to lease, own and control rights of way for that purpose, or erecting all such wharves, workshops, factories, warehouses, stores, dwellings, and such other buildings and improvements as may be found or deemed necessary, ornamental, or convenient, and constructing on the lands of the said company aqueducts and reservoirs for conveying, collecting and providing pure and wholesome water; and letting, renting, leasing, mortgaging, selling or changing the same, or using any lot or other portion of any of the said lands for depots and for agricultural, mining or manufacturing purposes; and it may also purchase and build steamboats, steamers, and other vessels.

A. D. 1890.

Wharves, factories, &c.

Reservoirs.

Other purposes.

SEC. 7. That said company shall be at liberty to subscribe for and take stock in any company that now is, or hereafter may be, incorporated by the Legislature or under the laws of this State; and any such company or incorporation may subscribe for and take stock in the said company hereby incorporated, on such terms as the Directors or managing officers may deem proper; and said company is hereby empowered and authorized to issue bonds, secured by lien on the property of the said corporation, to an amount not exceeding the value of the property owned by said corporation, with interest on said bonds, payable semi-annually: *Provided*, That before any such bonds are issued their issue shall be approved of and sanctioned by at least two-thirds in amount of the stock of the said company.

Stock in and by other companies.

Secured bonds.

Their issue to be approved.

SEC. 8. That the principal office of said company shall be located in Charleston County, but said company may, for its own convenience, establish offices in any of the cities of the State.

Offices.

SEC. 9. That all the corporate powers, rights and privileges hereby granted shall cease and determine at the expiration of fifty years from the date of this Act.

Duration.

SEC. 10. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 24th, A. D. 1890.

A. D. 1880. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CHARLESTON CLUB," APPROVED DECEMBER 20, 1881.**
 No. 550.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Charleston Club," approved December 20, 1881, be, and the same is hereby, amended by inserting after the word "Club" of the 8th line of Section 1 the following words: "the object of said Club being the promotion of social intercourse and intellectual improvement."

A. A. 1881,
 § 1, 17 Stat., 621,
 amended.

Object declared.

Section 2
 amended.

Section as substituted.

Rights, powers and privileges.

Property rights.

Limit.

Succession.

By-laws and ordinances.

SEC. 2. That Section 2 of said Act be, and is hereby, repealed, and the following inserted in lieu thereof, to be known as

SECTION 2. That the said corporation shall have, use and keep a common seal, and the same to alter at will; to contract and be contracted with, to sue and be sued; to take, hold, retain, possess and enjoy all such property, real and personal, as it may now have and possess, or which it may hereafter acquire by grant, purchase, devise, bequest or otherwise, and the same or any part thereof to sell, alien, encumber, mortgage or convey at its will and pleasure. The amount of such property at any time so held not to exceed the sum of one hundred thousand dollars. That the said corporation shall have succession of officers and members according to its by-laws and ordinances. That the duties and rights of the members of the said corporation; the powers and functions of the officers thereof; the mode of supplying vacancies in office; the times of meeting of said corporation, or of its officers or boards; the number which shall constitute a quorum thereof respectively at such meetings; the mode of electing or admitting members; the terms of their admission or election; the causes which justify their suspension or expulsion, as well for delay, failure or neglect to pay any annual subscription, initiation fee, due or any other due; or any debt whatsoever contracted by any members with the corporation; or for any conduct; or for any other cause whatsoever like or unlike these enumerated; the mode and manner of such suspension or forfeiture and deprivation of all right in and to the franchise and property of the corporation; the manner in which the property of the corporation shall be divided and appropriated in case of a dissolution of said corporation or wind-

ing up its affairs, shall all be regulated by the by-laws and ordinances of said corporation, which they are hereby empowered to make and alter in the manner in which they may be thereon mentioned: *Provided*, That said by-laws and ordinances shall not be repugnant to or inconsistent with the Constitution and laws of the United States or of this State: *Provided, further*, That the said corporation shall have authority in its by-laws and ordinances to make all other regulations incident or appertaining to such corporations, and shall have generally all the rights, powers and privileges in law incident or appertaining to like corporations.

A. D. 1890.

Provisions.

Other powers.

SEC. 3. That Section 6 of said Act is hereby repealed, and the following inserted in lieu thereof, to be known as Section 6:

Section 6 amended.

SECTION 6. That this Act shall be deemed and taken as a public Act, and shall continue in force until amended or repealed by the General Assembly.

Public Act

Duration.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE 'ACME BUILDING AND LOAN ASSOCIATION.'" No. 551.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the 'Acme Building and Loan Association,'" approved December 20th, A. D. 1888, be, and the same is hereby, amended by striking out the words "twelve hundred shares" where the same occur in said Section and inserting in lieu thereof "five hundred shares." So that said Section as amended shall read as follows:

A. A. 1888, §1, ante 184, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. G. Harvey, Kirby S. Tupper, A. A. Goldsmith, William M. Lege, William H. Welsh, William W. Simmons, William H. Parker, Jr., W. G. Harvey, Jr., F. W. Schlepegrel and Richard Birnie, and others who are or may be associated with them, be,

A. D. 1890.
Incorporation and purposes. and are hereby, declared a body politic and corporate, for the purpose of making loans of money, secured by mortgages of real estate or personal property, or by a conveyance of the same to their members and stockholders, under the name and style of the "Acme Building and Loan Association," located at Charleston, in the State aforesaid, with the privilege of doing a like business in the Town of Summerville, S. C., as can be done under the terms of this charter in the City of Charleston, South Carolina. The capital stock of said association shall consist of twenty-five hundred shares, but as soon as five hundred shares or more are subscribed thereto the said association shall organize and commence operations; the said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, as may be provided by the by-laws and other regulations of the said corporation.

Name and location.

Capital stock.

Organization.

Shares and when payable.

Approved December 24th, A. D. 1890.

No. 552. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE CAROLINA RIFLES.

A. A. 1877, 16 Stat., 307, extended. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled an Act to incorporate the Carolina Rifle Battalion of Charleston, approved June 9, 1877, be, and the same is hereby, extended and renewed for the term of 14 years from the approval of this Act, together with all Acts amendatory thereto.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE WEST END RAILWAY COMPANY.

A. D. 1890.

No. 553.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George B. Edwards, of the City of Charleston, Samuel J. Pregnall, Michael Kelly, M. A. Connor, and Dennis O'Neill, of the City of Charleston, and their associates, be, and are hereby declared to be, a body politic and corporate, under the name and style of "The West End Railway Company," and by and under that title shall have power to take, subscribe and raise a capital stock in the manner provided by law to the amount of two hundred thousand dollars, in shares of fifty dollars each.

Corporators.

Incorporation
and name.

Capital stock.

SEC. 2. That said company shall have power and authority, by and with the consent of the City Council of Charleston, to lay and build railway tracks through and along the following streets in the City of Charleston: Tradd, Gadsden, Barre, Lucas, Doughty, Fourth, Pine, Chesnut, and their continuations and extensions, to the Schutzenplatz near the City of Charleston, and through and along any other street or streets in the said City of Charleston that may not be already occupied by existing lines of railways, but nothing herein contained shall have the effect of preventing the crossing of the tracks of any existing lines of railways.

May build
street railway
in Charleston.

Route.

Restrictions.

SEC. 3. That the said company shall have power to use and employ on any railway operated by them cars or carriages, to be run in whole or in part by animal power, gas, steam, electricity and necessary equipments, or any other motive power for the transportation of passengers and freight, upon such reasonable rates as may be fixed by said company: *Provided*, The said railway herein incorporated shall not use steam as a locomotive power on or along any street in that portion of the city bounded on the North by Mary street and on the West by King street.

Motive power.

Proviso as to
steam.

SEC. 4. That such company shall have power to operate, lease, sub-lease, or purchase, other railways, and to sell, lease or mortgage its property and franchises, in whole or in part.

Sales, leases
and mortgages.

SEC. 5. That said company shall have power to manufacture, buy, sell and lease railway and street cars or carriages, locomotives, storage batteries, dynamo motors, generators, and all other kinds of gas, steam and electrical apparatus and supplies.

Manufacture
of cars and other
appliances.

SEC. 6. That said company shall have power to buy, hold, mortgage and sell, and otherwise dispose of at will, property for purposes of its said business; to sue and be sued, plead and be

Property rights.

Other rights.

- A. D. 1890.** impleaded, in any Court of law or equity in this State; to have succession of officers and members; and shall have power, by a majority of its stockholders, to make by-laws for the government and management of its affairs, and to have a common seal.
- By-laws and seal.**
- When to organize.** SEC. 7. That said company shall have power to commence to build said railway and lay said tracks, and to do all other acts hereby empowered, as soon as fifty per cent. of the capital stock shall have been subscribed.
- Bonds and mortgages.** SEC. 8. That said company shall have the power to issue bonds, notes and other evidences of indebtedness for the purposes of carrying out the objects of its charter, and upon a vote of a majority of its stockholders, had at a meeting called for the purpose, after thirty days' notice by advertisement in a newspaper published in the City of Charleston, secure the payment of the said notes, bonds or evidences of debt by mortgage or a deed of trust on all or any of their property and franchises, real or personal.
- Duration.** SEC. 9. This Act shall remain in force for twenty-one years, and thereafter until repealed: *Provided*, That said company complete two miles of its railway in said city within five years.
- Proviso.**
- Rights and limitations.** SEC. 10. That the said company shall have all the rights, powers and privileges granted, and be subject to all the provisions set forth and contained, in the Act of the General Assembly of South Carolina, approved 23d December, 1886, entitled "An Act to provide for and regulate the incorporation of railroad companies in this State."
- 19 Stat., 171.**

Approved December 23d, A. D. 1890.

No. 554. AN ACT TO ALLOW THE CHICORA FERTILIZER COMPANY TO BUILD A WHARF ON THE ASHLEY RIVER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Chicora Fertilizer Company, a corporation duly organized under the laws of this State, be, and it is hereby, authorized and empowered to build and erect a wharf from any point of their land owned by them on the Ashley River, in the County

Authorized to build wharf.

of Charleston, over and across the shores of said river, in any direction it may deem proper or find necessary, to the channel of said river, as far as may be necessary for commercial purposes, and to collect wharfage, layage and storage on the same, subject to all such regulations as have been, or may hereafter be, prescribed by law.

A. D. 1890.

Wharfage, layage and storage.

SEC. 2. That the franchise herein granted shall be vested in the said Chicora Fertilizer Company, its successors and assigns, forever.

Vested in Chicora Fertilizer Co.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO FURTHER AMEND THE CHARTER OF THE TOWN OF MOULTRIEVILLE, SULLIVAN'S ISLAND," APPROVED FEBRUARY 14TH, 1878. No. 555.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 ⁽¹⁾ of an Act entitled "An Act to further amend the charter of the Town of Moultrieville, Sullivan's Island," be, and the same is hereby, amended, so that said Section, when so amended, shall read as follows:

A. A. 1878, § 3, 16 Stat., 359, amended.

SECTION 2. ⁽¹⁾ For the purpose of conducting the election for Intendant and members of the Town Council, it shall be the duty of the Governor forthwith to appoint three (3) electors, who shall constitute a Board of Commissioners of Election for the Town of Moultrieville, Sullivan's Island, who shall hold their office, unless removed by the Governor, until sixty (60) days before the next general election for Intendant and members of the Town Council of said town, and until their successors are duly appointed and qualified: *Provided*, That after the appointment of said Board of Commissioners forthwith it shall be the duty of the Governor at least sixty (60) days before every general election to appoint three (3) electors who shall constitute a Board of Commissioners of Election for the Town of

Section as amended.

Commissioners of Election.

Subsequent appointments.

(1) These figures are printed as they appear in the original Act.—EDITOR.

A. D. 1890.

Managers of
Election.Registration
lists.
Who to register.Chairman and
oaths.Oath of per-
sons registeringCertificate of
registration.Custody of
lists, books and
papers.

Polls.

Place and
hours.Property elec-
tors and their
oath.

Moultrieville, Sullivan's Island, who shall hold their office, unless removed by the Governor, until sixty (60) days before every general election for Intendant and members of the Town Council of said town, and until their successors are duly appointed and qualified. The Commissioners of Election shall appoint (3) Managers of Election, who shall on the first Wednesday in July immediately preceding the first Wednesday in August appointed for holding such election, for one day, at or near the Ferry Wharf, open lists for the registration of the qualified voters of the town who are not entitled to vote upon a property qualification, between the hours of seven A. M. and twelve M., and again between the hours of three P. M. and six P. M. The said Managers shall elect one of their number Chairman, who, after taking the oath of office prescribed by the Constitution of the State, Section 30, Article 2, before any person qualified to administer an oath, shall administer the same to two other Managers. The Managers shall administer to every person offering to register the following oath: "You do solemnly swear that you are duly qualified to vote for members of the Legislature of the State of South Carolina, and that you have resided within the corporate limits of this town for two months last past, and that it is your intention to continue to reside within the said corporate limits until the day for holding the ensuing election, and that you have truly stated your name and place of residence, so help you God." Upon the Managers being satisfied of such person's right to register, they shall duly register his name and place of residence, and issue to him a certificate of his registration, which certificate shall state the name of the voter, the date of registration, his place of residence, and shall be signed by the Chairman of the Board of Managers and by their clerk. The registration list, when completed, shall be duly sealed up and delivered by the said Managers to the Commissioners of Election, together with all books and papers that may pertain to such registration, and the same shall be kept by the said Commissioners, unopened, and shall be so returned to the said Managers on the day of the said election.

SEC. 3. On the first (1st) Wednesday in August, appointed for holding the election for Intendant and members of the Town Council, the Managers of Election shall open the polls at or near the Ferry Wharf at six A. M. and keep the same open until six P. M. Every person entitled to vote upon a property qualification shall be allowed to vote upon taking the following oath:

"I do solemnly swear that I am duly qualified to vote at this election for Intendant and the members (or member, as the case may be) of the Town Council of Moultrieville, having been a lot owner on day of registration and still owning same, so help me God." If any person's right to vote on a property qualification is denied, the Managers shall require some evidence of his title to the property giving the qualification. No person except those who vote on a property qualification shall be allowed to vote who does not deliver to the Managers his certificate of registration, to be by them destroyed. If the right of any person to vote be challenged, the Managers shall decide the matter summarily, and are hereby authorized to examine such person under oath as to his right to vote. Every person proposing to vote shall be required by the Managers to vote his ballot enclosed in an envelope to be furnished by the Managers. Upon the closing of the polls, the Managers shall proceed to count the votes publicly, and every envelope which shall contain more than one ballot shall, with whatever it contained, be thrown out and not counted. They shall make a return of the number of votes cast for each individual, and deliver the same, together with the poll and register lists, ballot box, and ballots, to the Commissioners of Election, who shall declare the result of the election, and preserve the ballots until the next regular election.

A. D. 1890.

Evidence of title.

Surrender of registration certificate.

Decision of challenge.

Ballots to be enveloped.

Excessive ballots.

Return of Managers.

Declaration of result.

Election to fill vacancies.

Registration.

Election.

Advertisements.

SEC. 4. That in the event of any vacancy in the office of Intendant or members of the Town Council, now or hereafter existing, it shall be the duty of the Board of Commissioners of Election, thirty days after their appointment forthwith by the Governor, and thereafter thirty days from the date of said vacancy or vacancies thereafter occurring, to duly advertise according to law for the holding of a registration and an election for the purpose of filling said vacancy or vacancies, which said registration shall take place fifteen days from the date of the first advertisement, and the election fifteen days after said registration, but otherwise the same shall be conducted in conformity with the requirements of this Act for a general election: *Provided*, That the advertisement for registration shall be three times each week for two weeks, and for election shall be three times each week for two weeks.

SEC. 5. The Board of Commissioners of Election shall receive no pay, and the Managers of Election shall each receive one 50-100 dollars per day for their services on the day of registration and the day of election.

Compensation.

A. D. 1890.
 When to take
 effect.
 Repealing
 clause.

SEC. 6. That this Act shall take effect on the day of its passage, and that all Acts and parts of Acts inconsistent therewith are hereby repealed.

Approved December 24th, A. D. 1890.

No. 556. AN ACT FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN CHESTER COUNTY, TO BE KNOWN AS THE "EDGEMOOR SCHOOL DISTRICT," AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.

Area of new
 School District.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the territory embraced in the following limits, to wit: Beginning at a point opposite the residence of Henry Lee, where the York and Chester lines cross the Landsford and Yorkville roads, and running thence with said line to Fishing Creek, thence down said Fishing Creek to Lyme's Mill, thence in a straight line to the John Fudge old homestead, now occupied by C. B. Betts, Jr., thence in a straight line to the point on Fishing Creek where the Landsford and Lewisville Township line crosses said creek, thence along said township line to the Landsford road, thence up Landsford road to the site of the old Newland house, thence in a straight line to the beginning, be, and the same is hereby, created a special School District in said County, to be known as the "Edgemoor School District," and shall be a body politic and corporate, with such rights and privileges and liabilities as are provided for School Districts by the General School Law of South Carolina.

Name and in-
 corporation.

Rights and
 liabilities.

Special school
 tax.

SEC. 2. That in addition to the rights and privileges hereinbefore granted, the said School District shall have the power to levy, on all real and personal property returned in said District, a tax not exceeding four mills on the dollar, subject to the following provisions: The School Trustees of said District shall, at any time previous to the twenty-fifth day of December of each year, upon the written request of five property holders, issue a call for a public meeting of all the citizens of said District and State who return real or personal property in said District, and such

Public meeting.

notice shall be posted in two public places in said District for at least two weeks before such meeting, and shall specify time, object and place of such meeting. When so assembled, the persons answering the above description shall have power to elect a Chairman and Secretary, adjourn from time to time, decide what tax, if any, in addition to the Constitutional school tax apportioned to the schools of said District, not to exceed the limits hereinbefore mentioned, shall be levied for the educational interest of said District, under the direction of the Trustees thereof: *Provided*, That no tax thus levied shall be repealed by any subsequent meeting. At all such meetings only those persons shall vote who are citizens of said State, residing in said District, and who return real or personal property within said District for taxation.

A. D. 1890.

Notice.

Powers of meeting.

Tax not to be repealed.

Electors.

SEC. 3. That it shall be the duty of the Chairman and Secretary of said meeting, within one week after said meeting has been held, to notify the Chairman of the Board of Trustees for said School District and the Auditor for said County of the amount of the tax thus levied; and the County Auditor shall at once assess such tax on all real and personal property returned in said School District, and the County Treasurer shall collect the same with the State and County taxes; and such tax shall be a lien upon all property until paid, and defaulting taxpayers shall be liable to like process and penalties as defaulters for State and County taxes.

Notification, assessment and collection of tax

Enforcement.

SEC. 4. That the money collected from said tax levy and the Constitutional poll and two mill tax to which said District is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said School District, and said Treasurer shall be liable to said School District for the non-performance of his duty in respect to said money in the same manner and to the same extent and under like penalties as for the non-performance of his duties in reference to State and County taxes.

Disbursement of money.

Liability of County Treasurer.

SEC. 5. The County Board of Examiners of Chester County are hereby authorized and required to appoint a Board of three (3) Trustees for said School District, who shall hold office for two years from their appointment and until their successors shall be appointed, and all vacancies in the Board of Trustees shall be filled by appointment of the Board of Examiners.

Board of Trustees.

Vacancies.

SEC. 6. That said Trustees, or a majority of them, in addition to the duties and powers now provided by law for Trustees of

Powers of Trustees.

A. D. 1896.

School Districts, shall have the powers and duties following :

Erect buildings.

(1.) To erect, or provide by lease, purchase or otherwise, suitable buildings at Edgemoor, in said District, for the use of the public schools of said District, and for such purpose are authorized to borrow money and pledge as security for payment of same any school property belonging to said District, and also a portion of the special tax levy provided for in Section 2 of this Act, but not exceeding one-half thereof in any one year.

Make loans.

Pledge of taxes.

Teachers and books.

(2.) To elect and dismiss the Superintendent and teachers of said School District, prescribe their duties, terms of office, and to fix their salaries, and to cause an examination of said teachers to be made when necessary ; also to determine the studies and the class of books to be used in said schools and to make rules

Disbursement of taxes.

and regulations, for government of said schools. (3.) To determine and direct the manner in which the money arising from the tax hereinbefore authorized and from the Constitutional poll and two mill tax provided by law shall be expended in maintaining the public schools of said District, and to disburse the same upon their warrants drawn upon the County Treasurer as aforesaid.

Taxpayers to specify position of property.

SEC. 7. It shall be the duty of every taxpayer whose property may be partly within and partly without said School District, when he makes his return for State and County taxes, to specify plainly and separately in such return, under oath, the position or positions of such property, whether real or personal, subject to taxation within said District; and in case such taxpayer shall have made his return before such School District is laid off, it

Amended return.

shall be his or her duty to make another or amended return in accordance herewith ; and it shall be the duty of the County Auditor to enter the tax belonging to said School District upon the tax duplicate, in a separate column, so that the County Treasurer may conveniently keep the same separately from the other taxes.

Separate entry.

School District to be laid off.

SEC. 8. It shall be the duty of the said Board of Examiners to have the said School District laid off on or before the tenth day of January, 1891, and may employ a competent surveyor to lay off the same and erect proper landmarks to designate its boundaries, the expenses thereof to be paid out of the school funds, after proper audit, and upon their order on the County Treasurer : *Provided*, That should it be impracticable to lay off said School District before the tenth day of January, 1891, then the same shall be done as soon thereafter as practicable ; and

Payment of expenses.

Proviso.

the Trustees of said School District shall, as soon thereafter as they may deem expedient in the year 1891, call the meeting of the taxpayers of said District for the purposes and in the manner provided in Section 2 of this Act.

A. D. 1890.

Meeting of
taxpayers.

SEC. 9. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing
clause.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF FORT LAWN, IN No. 557.
CHESTER COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of this State who have resided within the limits of Fort Lawn sixty days who now are or hereafter may be inhabitants of the Town of Fort Lawn shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of the "Town of Fort Lawn," and the limits shall extend in every direction from the depot of the Cheraw and Chester Narrow Gauge Railroad one-third ($\frac{1}{3}$) mile North, East, West and South from said depot.

Incorporation.

Name and
limits.

SEC. 2. Said town shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1885: *Provided, however*, That no part of said Act shall be construed to grant to, and no power shall be vested in, said corporate body to issue license for the sale of intoxicating liquor in any form whatever within the limits of the said Town of Fort Lawn.

Rights and
limitations.

19 Stat., 174.

Liquor license
unauthorized.

SEC. 3. That it shall be a misdemeanor, punishable by fine or imprisonment, not exceeding thirty days or one hundred dollars, for any public carrier to deliver any spirituous liquors within the corporate limits of said town.

Delivery of
liquor by car-
riers a misde-
meanor.

SEC. 4. That the first election under this charter shall be held on the first Tuesday of February, A. D. 1891, and annually thereafter on the first Tuesday of February.

Time of elec-
tion.

A. D. 1890.

Public Act.
Duration.
When to take
effect.

SEC. 5. This Act shall be a public Act, and shall continue in force until repealed.

SEC. 6. This Act shall take effect immediately upon its passage.

Approved December 24th, A. D. 1890.

No. 558. A JOINT RESOLUTION TO PROVIDE FOR ISSUING AND FOR THE PAYMENT OF DUPLICATES OF CERTAIN RAILROAD BONDS TO J. F. MURRILL, IN CHESTERFIELD COUNTY. (1)

County Commissioners to deliver duplicate bonds.

Bond of indemnity.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chesterfield County, and their successors in office, be, and they are hereby, authorized and required to issue, deliver and provide for the payment, according to their tenor and effect, to J. F. Murrill, his heirs and assigns, duplicates of bonds Nos. 6 and 7 of Chesterfield County, issued to the capital stock of the Cheraw and Chester Narrow Gauge Railroad Company, of date January 5th, 1876, of the face value of one hundred dollars each, with coupons for interest at six per centum, payable annually, attached, to mature at thirty years, which bonds and coupons have been destroyed by fire, as it is said and believed, as the property of the said J. F. Murrill, and are wholly unpaid as to principal and interest: *Provided*, That before delivering said duplicates to the said J. F. Murrill, his heirs or assigns, said County Commissioners shall require, receive and file a bond of indemnity of the said J. F. Murrill of approved form, with good and sufficient surety or sureties in the penalty of six hundred dollars, conditioned for the saving harmless of said County against the principal and interest of and costs and charges concerning said original bonds said to be destroyed as aforesaid.

Approved December 23d, A. D. 1890.

(1) This Joint Resolution was ratified and approved in duplicate, the two being word for word the same.—EDITOR.

AN ACT TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF CLARENDON COUNTY TO PAY THE PAST INDEBTEDNESS OF SAID COUNTY AND TO PAY ANY DEFICIENCIES OF THE FISCAL YEAR ENDING OCT. 31, 1890, OUT OF ANY UNEXPENDED BALANCES THAT ARE NOW ON HAND, OR THAT MAY BE ON HAND FROM THE COLLECTION OF TAXES FOR THE FISCAL YEAR ENDING OCT. 31, 1890, AND TO APPLY ANY SURPLUS THAT MAY REMAIN TO THE CURRENT EXPENSES OF THE POOR HOUSE AND ROADS AND BRIDGES.

A. D. 1890.

No. 559.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Clarendon County be, and they are hereby, authorized and directed to pay out of any unexpended balances now on hand, or that may be on hand from the collection of taxes for the fiscal year ending Oct. 31, 1890, the past indebtedness of said County, bonded or floating.

Past indebtedness to be paid.

SEC. 2. That after paying said past indebtedness, should there still be a surplus in the County treasury, said surplus shall be used for paying any deficiencies of the fiscal year ending Oct. 31, 1890.

Use of surplus for deficiencies.

SEC. 3. That after liquidating all indebtedness of said County contracted prior to Oct. 31, 1890, should there still be a surplus in the County treasury, the County Commissioners are hereby authorized to use the same for current expenses of the Poor House and for roads and bridges.

Use of further surplus.

Approved December 24th, A. D. 1890.

AN ACT TO EXTEND TO THE COUNTY OF CLARENDON ALL THE PROVISIONS OF AN ACT ENTITLED "AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE COUNTIES OF ABBEVILLE, AIKEN, SUMTER, YORK, EDGEFIELD, BERKELEY, KERSHAW, RICHLAND, ORANGEBURG, CHARLESTON, CHESTER AND UNION," APPROVED DECEMBER 19, A. D. 1887.

No. 560.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That
 all the provisions of an Act entitled "An Act to regulate the
 traffic in seed cotton in the Counties of Abbeville, Aiken, Sum-
 ter, York, Edgefield, Berkeley, Kershaw, Richland, Orangeburg,
 Charleston, Chester and Union," approved December 19, 1887,
 be, and the same are hereby, extended to and made operative in
 the County of Clarendon, in which County the license fee shall
 be three hundred dollars per annum.
 Approved December 24th, A. D. 1890.

A. A. 1897, 19
 Stat., 795, e x-
 tended to Clar-
 endon.

Licensee fee.

NOTE.—For Act relating to transfer of certain Probate Court actions, &c., from Clarendon County to Florence County, see Act No. 574, *post*.

No. 561. AN ACT TO CREATE AND PROVIDE FOR A SINKING FUND TO MEET THE BONDED INDEBTEDNESS OF THE COUNTY OF COLLETON, AND TO LIMIT AND DEFINE THE POWERS AND DUTIES OF THE COUNTY COMMISSIONERS AND COUNTY TREASURER OF SUCH COUNTY IN CONNECTION THEREWITH.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all funds which now are or may hereafter come into the hands of the County Treasurer of Colleton County arising under the sale of the interest of said County in the capital stock of the Green Pond, Walterboro and Branchville Railway Company, and dividends on the same, or from taxation levied to pay the interest on bonds issued in aid of such railway, be, and the same are hereby, declared to be under the protection of his official bond.

Funds from R.
 R. or R. R. tax
 protected by
 Treasurer's
 bond.

Sinking fund. SEC. 2. That for the purpose of creating a sinking fund to meet the indebtedness of the aforesaid County upon the bonds aforesaid, the Treasurer of the County of Colleton aforesaid is hereby authorized and required to deposit such sum or sums of money aforesaid in the different savings banks throughout this State in sums not exceeding two thousand dollars in any one bank. Such deposit to be to his credit as County Treasurer.

Deposit in
 banks.

Deposit of sur-
 plus.

SEC. 3. That any surplus that now is or hereafter may exist in the levy made to defray the interest due upon the bonds aforesaid until their maturity, after paying such interest, and

also the interest accruing upon the deposit as above provided for, shall be deposited by the County Treasurer as provided, and with the like restrictions as to amount, as set out in Section 2.

A. D. 1890.

SEC. 4. That the County Commissioners of the County of Colleton are hereby authorized and directed to use the funds herein provided for at any time for the purchase of the aforesaid bonds, if the same can be purchased at par or below, and in so doing they shall draw upon the County Treasurer for such sums as they may so expend, and he is thereupon authorized to draw upon the funds aforesaid for the amount so ordered.

Purchase of bonds.

Drafts on Treasurer.

SEC. 5. That such fund or funds shall be used for no other purpose whatsoever.

Exclusive use of funds.

SEC. 6. That all Acts and parts of Acts inconsistent herewith be, and the same are hereby, repealed.

Repealing clause.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF SAINT GEORGE'S. No. 562.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are or hereafter may be inhabitants of the Town of Saint George's, shall be deemed, and are hereby declared, a body politic and corporate, and said town shall be called and known by the name of Saint George's, and its limits shall be deemed and held to extend one-half mile in each direction from the town hall at said place.

Incorporation.

Name and limits.

SEC. 2. That the town shall be governed by an Intendant and four Wardens, who shall be elected on the 1st Monday in March next, 1891, and on the first Monday in March every year thereafter, who shall hold their offices for one year and until their successors shall have been elected and qualified. An election shall be held for an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof, in writing, being previously given; and that all the male inhabitants of said town of the age

Intendant and Wardens.

Election.

Electors.

A. D. 1890.	of 21 years who have resided therein sixty days previous to the election shall be entitled to vote for said Intendant and Wardens, including persons owning real estate and doing business in said town. An election shall be held from 9 o'clock in the morning until five (5) o'clock in the evening, when the polls shall be closed, and the Managers shall count the votes and proclaim the election and give notice thereof to the persons elected ; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election. That the Intendant and Wardens before entering into the duties of their office shall take the oath prescribed by the Constitution of the State and the following oath, to wit : "As Intendant (or Warden) of St. George's, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry in effect, according to law, the purposes of my appointment. So help me God."
Hours.	
Managers.	
Oaths.	
Vacancies.	SEC. 3. That in case a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation or otherwise, an election shall be held by appointment of Intendant and Warden, or Wardens, as the case may be, ten days' public notice thereof, as aforesaid, being given ; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.
Intendant pro tem.	
Powers of Trial Justices.	SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices in this State, in matters civil and criminal, within the limits of said town ; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Saint George's, and they and their successors in office shall have a common seal, and shall have power and authority to appoint from time to time such Marshals and Constables as they shall deem sufficient and proper, which officer or officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, by the laws of this State for the office of Constable ; and the Intendant and Wardens in Council shall have power and authority under their corporate seal to ordain and establish all such rules and ordinances respecting the streets, ways, bridges, public wells, markets and police of said town,
Council meetings.	
Name and powers.	
Marshals and Constables.	
Ordinances.	
Streets, markets, health, &c.	

and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such rules and ordinances, and appropriate the same to the use of the corporation, but no fine shall exceed \$50; all fines may be collected by an action for debt before a proper tribunal.

A. D. 1880.

Fines.

SEC. 5. That the said Council shall have power to remove all nuisances within limits of said town, and to elect and maintain a guard house, and to prescribe by ordinances suitable regulations for governing same; that they shall have power to arrest and commit to said guard house for a space of time not exceeding forty-eight hours, and to fine not exceeding twenty-five dollars, any person or persons who shall be guilty of disorderly conduct in said town. That whenever any person shall refuse, fail or be unable to pay any fine imposed, that said Council shall have power and authority to commute the sentence of such person or persons to that of labor on the public streets and roads of said town, for a period not exceeding thirty days, according to the gravity of the offense.

Nuisances.

Guard house.

Disorderly conduct.

Work on streets.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to Commissioners of Roads within limits of said town, and for neglect of duty they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect, and the inhabitants of said town are hereby exempt from road duty without the limits of said incorporation. That the said Intendants and Wardens shall have power to compound with persons liable to work on said streets, upon the payment of such sum of money as they may deem a fair equivalent therefor.

Streets and ways.

Compounding for work.

SEC. 7. That the said Town Council of Saint George's shall also be empowered to hold, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given, bequeathed, or by any manner acquired by them, and to sell, alien or any way transfer the same or any part thereof: *Provided*, The amount of property so held or stock invested shall in no case exceed the sum of twenty-five thousand dollars.

Property rights.

Limit.

SEC. 8. That the authority to refuse or grant licenses to keep a tavern or sell intoxicating drinks, or to keep a billiard table,

Licenses.

- A. D. 1890.** ten pin alley or other pin alley or games, is vested in the Town Council of Saint George's, and that they be also invested with all the necessary power by ordinance to suppress or regulate the sale of intoxicating drinks to be drank at the place where sold, or in or upon any of its appurtenances, or in or upon any of its highways, streets, lanes, alleys, commons and all buildings and outbuildings or outhouses of the said town: *Provided*, That no license shall be less than that required by the County for same.
- Sale of liquors.**
- License fee.**
- Tax on shows.** SEC. 9. That the said Town Council shall have power to impose a tax on shows or exhibitions for gain or reward within the limits of said town; and that they shall also have power to regulate sales at auction within limits of said town and grant licenses: *Provided*, That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Court, executors, administrators, assignees or any officers or other persons under the order of any Court.
- Auction sales.**
- Official sales excepted.**
- Sidewalks.** SEC. 10. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in the said Town of Saint George's to keep in repair the sidewalks adjacent to their lots respectively, and to keep said lots properly enclosed when required to do so, and for default in this matter shall have power and authority to impose a fine not exceeding ten dollars.
- Enclosing of lots.**
- Public Act.** SEC. 11. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until amended or repealed.
- Duration.**
- First election regulated.** SEC. 12. That for the purposes of the first election of Intendant and Wardens provided for by this Act, the Clerk of the Circuit Court of Colleton County is hereby authorized and required to appoint and qualify three Managers of the said election, and to give ten days' printed notice of the time of said election, prior to March 1st, 1891, and the said Managers at the first election shall perform all the duties devolved by this Act upon the Intendant and Wardens as to subsequent elections.
- Repealing clause.** SEC. 13. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.
- Approved December 24th, A. D. 1890.

AN ACT TO PROVIDE A NEW SCHOOL DISTRICT IN COLLETON COUNTY, TO BE KNOWN AS "HENDERSONVILLE SCHOOL DISTRICT," AND TO PROVIDE FOR THE COLLECTION OF A LOCAL TAX THEREIN.

A. D. 1890.

No. 563.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That that portion of Colleton County generally known as Hendersonville, and bounded on the North by the Rummock Swamp and the Walterboro and Crowfield Road, on the East by the extreme Eastern boundary lines of the lands belonging to Samuel Marvin and E. M. Speights, on the South by the Charleston and Savannah Wagon Road and the extreme Southern boundary lines of E. R. McTeer's place, on the West by that portion of the "Black Creek and Godfrey Savannah Road" which lies between the said Southern boundaries, the extreme Western boundary lines of the places belonging to E. R. McTeer, Mrs. C. E. Patterson and C. P. Henderson, and the Orchard Swamp, be, and the same is hereby, created a special School District in said County, to be known as "Hendersonville School District."

Area of School District.

Creation and name.

SEC. 2. That J. H. Slowman, Dr. H. W. Moore, M. H. Carter, E. R. McTeer and J. H. Marvin, and their successors, to be appointed under the provisions of this Act, be, and the same are hereby, constituted a Board of Trustees for said School District.

Board of Trustees.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights and liabilities now possessed by and pertaining to School Trustees. 2d. To determine the studies and class books to be used in the schools of said District. 3d. To elect and dismiss the teachers, to prescribe their duties and term of office, and to make rules for the government of the schools. 4th. To make an annual report of the schools in this District to the Superintendent of Education on or before the first day of October in each year, to be forwarded through the office of the School Commissioner of Colleton County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the District herein created.

Powers and duties of Board.

General powers and liabilities.

Studies and books.

Teachers.

Annual reports.

Property.

Vacancies.

SEC. 4. That all vacancies that might occur from any cause whatever in the Board of Trustees shall be filled by appointment

A. D. 1890.

to be made by the State Superintendent of Education whenever the same shall be reported to him by the School Commissioner of Colleton County.

Chairman, &c.

SEC. 5. That the Board of Trustees shall elect from its members a Chairman and also a Secretary and Treasurer.

Meetings of Board.

SEC. 6. That the Chairman shall call meetings of the Board whenever in his judgment it is necessary, or whenever two members of the Board shall in writing request him to do so.

School Commissioner's jurisdiction.

SEC. 7. That the School Commissioner of Colleton County shall have no jurisdiction over the schools and educational interests of the said "Hendersonville School District."

Special school tax.

SEC. 8. That said School District is also hereby authorized and empowered to levy on all real and personal property returned in said District a local tax, not exceeding two (2) mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall on or before the first day of March, 1891, and on or before

Meeting of taxpayers.

the same day in each succeeding year, call a meeting in said School District of all the owners of real and personal property living in above named School District and returning real or personal property therein of the value of one hundred dollars and

Notice to be given.

over: *Provided*, That public notice of said meeting, specifying the time, place and object, shall be given at least ten (10) days before said meeting, by posting the same in three conspicuous places in the said School District, and by publishing the same at least twice in the newspaper having the largest circulation in said School District. The persons answering the above designations, when thus assembled, shall appoint a Chairman, and also a Secretary, adjourn from time to time, and decide what

Officers.

Additional tax.

additional tax, if any, shall be levied. No tax thus levied shall

Tax not to be repealed.

be repealed at a subsequent meeting within the same fiscal year.

Notification, assessment and collection of tax.

The Chairman of said meeting shall within one week thereafter notify the Chairman of said Board of Trustees and the County Auditor of Colleton County, respectively, of the amount of the tax thus levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said School District, and the County Treasurer shall collect said tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

Enforcement of payment.

Disbursement of tax levies.

SEC. 9. The County Treasurer of the County of Colleton shall hold all moneys arising from the Constitutional school tax and

poll tax to which said School District might be entitled under the general provisions of law, or under the provisions of this Act, subject to the warrant of the Board of Trustees of said School District.

A. D. 1890.

SEC. 10. All moneys received by the County Treasurer from the local tax herein shall be protected by the official bond of said Treasurer, and shall be paid out only on the warrant of the said Board of Trustees of the said School District.

Liability of
County Treas-
urer.

Payments.

SEC. 11. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing
clause.

Approved December 24th, A. D. 1890.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL TRIAL JUSTICE FOR COLLETON COUNTY. No. 564.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, one additional Trial Justice shall be appointed by the Governor of the State, by and with the advice and consent of the Senate, for the County of Colleton, who shall receive the same salary as the other Trial Justices of said County who reside outside of the Town of Walterboro, and who shall be vested with the same powers as other Trial Justices in said County.

Governor to
appoint addi-
tional Trial
Justice.

Salary and
powers.

Approved December 24th, A. D. 1890.

AN ACT TO PERMIT ELIZABETH M. GRANT AND OTHERS TO CONSTRUCT A CROSSING OVER THE C. & S. RAILWAY NEAR GREEN POND, COLLETON COUNTY. No. 565.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That Elizabeth M. Grant be, and that she is hereby, authorized and empowered to construct and maintain, for the benefit of herself and others similarly situated, a crossing over the right of way of the Charleston and Savannah Railway near Green Pond, in

Crossing authorized.

Location. Colleton County, from a point near the Southeast corner of the lot of her residence to her farm just opposite and across said right of way: *Provided*, The same be always kept by her and others interested in such condition as not in any wise to interfere with the trains on such railway: *And provided, further*,

No interference with trains That all passengers over or other persons in any way using said crossing assume for themselves all liability for damages caused to themselves or their property from collision with the trains of

Assumption of damages. the same: *Provided, further*, That in case the said railroad company shall at any time fence in their track, that the expense of maintaining gates at said crossing shall be borne by the said Elizabeth M. Grant or other persons using said crossing: *And provided, further*, That before said crossing is constructed, the said Elizabeth M. Grant shall take proper proceedings, in accordance with the provisions of the General Statutes in such cases made and provided, to condemn the same over the right

Gates.

Compensation. of way or land of the said railroad, and pay such compensation therefor as may be therein determined.

Repealing clause. SEC. 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved December 24th, A. D. 1890.

No. 566. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO DRAW THEIR WARRANT FOR, AND THE TREASURER OF SAID COUNTY TO PAY TO H. D. PADGETT, CLERK OF THE COURT OF GENERAL SESSIONS AND COMMON PLEAS, THE BALANCE DUE TO HIM FOR REINDEXING AND REARRANGING CERTAIN RECORDS IN HIS OFFICE, OUT OF THE LICENSE FUND OF THE PRESENT FISCAL YEAR.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized and directed to draw their warrant in favor of H. D. Padgett, Clerk of the Court of General Sessions and Common Pleas, for the balance due to him for reindexing and rearranging the records in his office, said warrant to be drawn against the fund arising from liquor license for the present fiscal year, and the Treasurer of said County is hereby authorized and directed to pay the same out of said fund.

A. D. 1890.

County Commissioners to draw warrant.

On what fund.

County Treasurer to pay.

Approved December 24th, A. D. 1890.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO DRAW THEIR WARRANT FOR, AND THE COUNTY TREASURER TO PAY TO J. K. KNIGHT THE SUM OF ONE HUNDRED AND TWENTY-NINE DOLLARS FOR SERVICES RENDERED AS A MEMBER OF THE BOARD OF JURY COMMISSIONERS. No. 567.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Colleton County be, and they are hereby, authorized and required to draw their warrant in favor of J. K. Knight, Chairman of the Board of County Commissioners, for the sum of one hundred and twenty-nine dollars, and that the County Treasurer pay the same out of any funds applicable to the payment of the same, for services rendered by the said J. K. Knight as a member of the Board of Jury Commissioners for said County during the present year.

County Commissioners to draw warrant.

County Treasurer to pay.

Approved December 23d, A. D. 1890.

AN ACT TO LIMIT THE TERM OF SERVICE OF JURORS IN DARLINGTON, FLORENCE AND UNION COUNTIES. No. 568.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That whenever the terms of the Courts of General Sessions and Common Pleas in the Counties of Darlington, Florence and Union shall be for two or more weeks, no petit juror shall be required to serve more than one week at any term of said Courts. Thirty-six jurors shall be drawn in the manner provided by law to serve for the first week, and a like number shall be so drawn to serve for each subsequent week of each term of said Courts: *Provided*, That whenever a jury shall be charged with a case, such jury shall not be discharged, by reason of anything in this Act contained, until a verdict shall have been found, or a mistrial ordered in such case: *And provided, further*, That the thirty-six jurors drawn for the second week of the Fall term of said Courts in said Counties each year may be held over and required to serve after the expiration of the time for which they were drawn, and until the business on Calendar 1 of the Court of Common Pleas for said County shall be disposed of. Separate writs of *venire* shall issue for the jurors drawn to serve for each week of said terms of Court for said County.

Jurors to serve only one week.

Number to be drawn.

Jury charged to be held over.

Jurors for second week in Fall to hold over.

Venire for each week.

Repealing clause as to Darlington.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed, so far as relates to Darlington County.

Approved December 24th, A. D. 1890.

No. 569. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN THE COUNTY OF DARLINGTON AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN," APPROVED DECEMBER 24TH, A. D. 1883, BY ADDING TWO SECTIONS THERETO, TO BE DESIGNATED AS 9 AND 10, EMPOWERING THE SCHOOL COMMISSIONERS TO BORROW MONEY, NOT TO EXCEED TEN THOUSAND DOLLARS, FOR THE PURPOSE OF ERECTING SCHOOL BUILDINGS IN SAID SCHOOL DISTRICT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

an Act entitled "An Act to provide for the establishment of a new School District in the County of Darlington and to authorize the levy and collection of a local tax therein," approved December 24th, A. D. 1883, be, and the said Act is hereby, amended by adding the following two Sections thereto, to be designated as Section 9 and Section 10, respectively :

A. D. 1890.
A. A. 1883.
18 Stat., 557.
amended.
Sections added.

SECTION 9. That the said School District of the Town of Florence is hereby authorized and empowered to borrow a sum not exceeding ten thousand dollars, for the purpose of erecting a school building, or school buildings, within its limits, by issuing from time to time the bonds of the corporation, bearing interest at a rate not to exceed seven per centum per annum, payable semi-annually, and for the payment of the interest and the ultimate redemption of the principal, according to the terms of the loan, the said corporation shall at all times be liable. And to provide for the payment of the interest on said bonds and to create a sinking fund for their ultimate redemption, the said Town Clerk at the time of assessing the town taxes shall assess an annual tax of one mill on all the real and personal property returned in said School District, and the Town Treasurer shall collect said tax at the time and in the manner provided for collecting the town taxes. The proceeds arising from this tax shall be kept separate for the sole purpose above named, and be paid out by the Town Treasurer in warrants drawn by said School Commissioners, and the said Treasurer shall be liable to all penalties as hereinbefore provided.

Loan to erect school buildings.
Bonds.
Tax to pay interest and for sinking fund.
Collection of tax.
Disbursement of proceeds.
Liability of Treasurer.
May execute mortgages.

SECTION 10. That in order further to give currency to said bonds and secure their payment, the said School District is hereby authorized and empowered to mortgage its property, both real and personal, such mortgage or mortgages to be duly executed by the proper officers of the said School District.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF LAMAR, IN DAR- No. 570.
LINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

- A. D. 1890.** in General Assembly, and by the authority of the same, That
Incorporation. all citizens of the United States and this State who now are or hereafter may be inhabitants of Lamar, in the County of Darlington, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the
Name and Limits. name of Lamar, and the limits shall extend one mile in every direction from the depot of the Charleston, Sumter and Northern Railroad as the centre.
- Rights and Limitations.** SEC. 2. That said Town of Lamar shall be vested with all the rights, powers and privileges granted by, and subject to all the limitations and provisions contained in, an Act entitled "An
19 Stat., 174. Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885, and the amendments thereto.
- Public Act.** SEC. 3. That this Act shall be deemed and taken a public Act,
Duration. and shall continue in force for the term of twenty years, and until final adjournment of the General Assembly next thereafter.
- Sale of liquor prohibited.** SEC. 4. That no license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the Town of Lamar, in the County of Darlington, and the sale of spirituous, malt or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said town is hereby prohibited, and any person found guilty of violating any of the provisions of this Act shall be fined not exceeding fifty dollars, or imprisonment not exceeding thirty days, or both such fine and imprisonment, in the discretion of the Town Council of said Town of Lamar.
- Penalties.**

Approved December 24th, A. D. 1890.

NOTE.—For Act relating to transfer of certain Probate Court actions, &c., from Darlington County to Florence County, see Act No. 574, post.

- No. 571. AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF WINNSBORO TO ISSUE NEW BONDS TO PAY OFF THE BONDED INDEBTEDNESS OF SAID TOWN, AND TO APPROPRIATE THE AMOUNT NOW APPLIED TO THE ANNUAL REDUCTION OF SAID BONDED DEBT TO THE USE OF THE PUBLIC SCHOOLS IN THE TOWN OF WINNSBORO.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That the Town Council of Winnsboro, in pursuance of an election heretofore held, be, and they are hereby, authorized and empowered and required to issue bonds of said town, to the amount of seven thousand dollars, for the purpose of paying off the present bonded indebtedness of said town, said bonds to be issued in such denomination as said Town Council may deem best, and to be payable in twenty years from the date thereof, with interest from date of issue at the rate of seven per centum per annum; and the coupons for said interest, when due, shall be receivable in payment of all taxes levied by or due to said town.

A. D. 1890.

Bonds to be issued.

Description.

Coupons receivable for taxes.

Exchange, sale or hypothecation.

Application of proceeds.

SEC. 2. That said bonds may be used in exchange for other bonds of said town at par; or in case such exchange cannot be effected, the said Town Council is authorized to sell or hypothecate said bonds and apply the proceeds or moneys arising therefrom to the payment of the present bonded indebtedness of said town, when the same shall become due.

Annual appropriation to Mt. Zion Society.

SEC. 3. That said Town Council be, and they are hereby, authorized, empowered and required annually to appropriate and to pay over to the Mount Zion Society of the Town of Winnsboro, for the use of the public schools in said town, the amount now annually appropriated and applied to the payment and reduction of the principal of the present bonded debt of said town, to wit, the sum of six hundred dollars. Said sum of six hundred dollars to be used by said Mount Zion Society for the exclusive support of the public schools within the corporate limits of said Town of Winnsboro.

To be used for public schools.

SEC. 4. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 24th, 1890.

A JOINT RESOLUTION TO PROVIDE FOR THE REIMBURSEMENT OF THEIR EXPENSES TO THE SPECIAL COMMISSIONERS OF FLORENCE COUNTY.

No. 572.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1890. the County Commissioners of Florence County are hereby authorized and required to draw their warrants, and the County Treasurer of said County is hereby authorized and required to pay such warrants out of funds in his hands for ordinary County purposes to and in favor of S. A. Gregg, B. B. McWhite, A. A. Myers, John McSween, James Allen, J. W. Coward and J. M. Knight, for fifty dollars each, as reimbursement of money spent by them, respectively, in designating and establishing the County seat, providing and procuring suitable buildings, and contracting for and superintending the construction of the court house and jail, and in performing all the duties required of them as Special Commissioners under the Act entitled "An Act to establish a new Judicial and Election County from portions of Darlington, Marion, Williamsburg and Clarendon Counties, to be known as Florence County, and to adjust the representation of said Counties in the General Assembly," approved 22d December, A. D. 1888.

Reimbursement to Commissioners.

Amount.

Ante 168.

Approved December 20th, A. D. 1890.

No. 573. AN ACT TO PROVIDE FOR THE SURVEY OF A PORTION OF THE BOUNDARY LINE BETWEEN THE COUNTIES OF FLORENCE AND WILLIAMSBURG.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Secretary of State be, and he is hereby, authorized and empowered to cause a survey of so much of the boundary line between the Counties of Florence and Williamsburg, beginning at a point at and above Anderson Bridge and that is described in Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to establish a new Judicial and Election County from portions of Darlington, Marion, Williamsburg and Clarendon Counties, to be known as Florence County, and to adjust the representation of said Counties in the General Assembly,'" approved December 23rd, A. D. 1889, as follows: "Thence in a straight line Westward to the Williamsburg and Clarendon

Secretary of State to order survey.

Ante 517.

County lines so as to embrace twenty-eight square miles of the territory of Williamsburg County." A. D. 1890.

SEC. 2. That the cost of making such survey be paid in equal portions by each of the said Counties of Florence and Williamsburg, and the County Commissioners of the last said named Counties are hereby directed to provide for the same. Payment of cost.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE AND REQUIRE CERTAIN CAUSES, ACTIONS, PROCEEDINGS AND MATTERS IN THE PROBATE COURTS OF THE COUNTIES OF DARLINGTON, MARION, WILLIAMSBURG AND CLARENDON TO BE TRANSFERRED TO THE PROBATE COURT OF FLORENCE COUNTY. No. 574.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all causes, actions, proceedings and matters of whatsoever nature that are not yet ended, in the Probate Courts of the Counties of Darlington, Marion, Williamsburg and Clarendon, pertaining to those sections of said Counties now embraced in Florence County, and in which the Probate Court of Florence County would have had jurisdiction at the time of the commencement of such causes, actions, proceedings and matters, if said County of Florence had been established prior thereto, shall be transferred by the first named Courts to the said Probate Court of Florence County, and all original records and papers belonging to any of the causes, actions, proceedings and matters aforesaid, together with all the legal incidents thereto appertaining, shall be transferred to the said Probate Court of Florence County. Certain actions, &c., to be transferred to Florence County.
Also records, papers, &c.

Approved December 24th, A. D. 1890.

A. D. 1890.

No. 575.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE TREASURER OF MARION COUNTY TO TURN OVER TO THE TREASURER OF FLORENCE COUNTY ALL BALANCES OF SCHOOL FUNDS NOW IN HIS HANDS WHICH WERE COLLECTED FROM THE SCHOOL DISTRICTS FORMERLY EMBRACED IN MARION COUNTY BUT NOW EMBRACED IN FLORENCE COUNTY, AND TO AUTHORIZE AND REQUIRE THE TREASURER OF FLORENCE COUNTY TO RECEIVE, APPORTION AND PAY OUT SAID FUNDS TO SAID SCHOOL DISTRICTS ACCORDING TO LAW.

School balances to be turned over.

Of districts now in Florence County.

If there be any.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of Marion County be, and he is hereby, authorized and required to turn over to the Treasurer of Florence County all balances of school funds now in his hands which were collected from the School Districts formerly embraced in Marion County but now embraced in Florence County, and that said Treasurer of Florence County is hereby authorized and required to receive, apportion and pay out said funds to said School Districts according to law: *Provided*, That if, on investigation, any balance shall be found due Florence County.

Approved December 23d, A. D. 1890.

No. 576.

AN ACT TO INCORPORATE THE CITY OF FLORENCE.

Incorporation.

Name and corporate limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State, having resided for twelve months within the State and sixty days within the corporate limits of the City of Florence, shall be deemed, and are hereby declared, a body politic and corporate, and the said incorporation shall be called and known by the name of the City of Florence, and its corporate limits shall extend one mile in every direction from the Southwest corner at the intersection of Front and Dargan streets in said city.

SEC. 2. That the said city shall be governed by a City Council, composed of a Mayor and four (4) Aldermen, who shall have resided within the State for one year, and within the limits of the corporation for sixty days immediately preceding their election. The said Mayor and Aldermen shall be elected on the first Thursday in the month of May in each alternate year, fifteen days' notice being previously given, and shall continue in office two years, and until the election and qualification of their successors; and all male citizens of the said city who shall have attained the age of twenty-one years and resided therein sixty days immediately preceding the election shall be entitled to vote at the same. That the said election shall be held at such convenient public place or places in said city from eight (8) o'clock in the morning to five (5) o'clock in the evening, and under such regulations as shall be prescribed by the City Council. The Mayor shall always appoint the Managers to conduct the election, who, before they open the polls for said election, shall take an oath affirming to act fairly and impartially in conducting the same: *Provided, however,* That one (1) Alderman shall be elected from each Ward by the voters of the whole city, and shall reside in said Ward during the term of their office; and the Mayor shall be elected by the voters of the entire city, but shall not be restricted as to residence in said city. And the Mayor and Aldermen, before entering upon the duties of their office, shall respectively take the oath prescribed by the Constitution of this State, and the following oath, to wit: "As Mayor (or Alderman) of the City of Florence, I will fairly and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected—so help me God." And if any person, upon being elected Mayor or Alderman, shall refuse to act when elected, he shall forfeit and pay to said City Council the sum of twenty dollars, for the use of said city: *Provided,* That no person who has attained the age of fifty years shall be compelled to serve in either of the said offices; nor shall any other person be compelled to serve more than two years in any term of six years.

A. D. 1890.

Mayor and Aldermen.

Time of election.

Term of office.

Electors.

Regulations of the election.

Managers.

Residence of Mayor and Aldermen.

Oath of office.

Penalty for refusing to serve.

Provided.

Vacancies.

SEC. 3. That in case any vacancy shall occur in the office of Mayor or any of the Aldermen by death, resignation or otherwise, a special election to fill such vacancy shall be ordered by Council, and held in the manner herein prescribed. The City Council shall be empowered to elect one of their members Mayor

A. D. 1890. *pro tem.*, who shall act as Mayor during the time of the sickness or absence of the Mayor.

Mayor pro tem. SEC. 4. That the Mayor and Aldermen duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of a Trial Justice or other inferior Court, and the Mayor shall and may, as often as may be necessary, summon the Aldermen to meet in Council, any two of whom with the Mayor, or any three Aldermen, shall constitute a quorum to transact business, and they shall be

To have powers of Trial Justice.

Council meetings.

Name and powers of Council.

Property rights.

Limit.

By-laws and ordinances.

Subject to revision and repeal.

Punishments.

Liquor licenses.

License fee.

Application of proceeds.

known by the name of the City Council of Florence; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, may plead and be impleaded, in any Court of law or equity in this State, and purchase, hold, possess and enjoy to them and their successors, in perpetuity or for any term of years, any estate, real or personal or mixed, and sell, alien and convey the same: *Provided*, The same shall not exceed at any one time the sum of fifty thousand dollars. And the said City Council shall have full power to make and establish all such rules, by-laws and ordinances respecting the roads, streets, market and police force of said city as shall appear to them necessary and requisite for the security, welfare and convenience of said city, or for preserving health, order, peace and good government within the same, and all the by-laws, rules and ordinances the said Council may make shall at all times be subject to revision or repeal by the General Assembly of this State. And the said Council may fix and impose fines and penalties for the violation thereof and appropriate the same to the public uses of said corporation: *Provided*, That no punishment shall exceed one hundred dollars' fine or thirty days' imprisonment.

SEC. 5. That the Mayor and Aldermen of said city shall have full and only power to grant or refuse licenses to keep taverns or retail spirituous liquors within the corporate limits of said city, upon such conditions and under such circumstances as to them shall seem right and proper: *Provided*, That in no instance shall the price of a license to keep a tavern, or retail spirituous liquors, be fixed at a less sum than is established by the laws of this State; and all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits, shall be appropriated to the public uses of said city.

SEC. 6. That it shall be the duty of the Mayor and Aldermen to keep all roads, streets and ways within their corporate limits open and in good repair. They shall have power to compound with all persons liable to work the streets, ways and roads in said city upon such terms as they, by ordinance, shall establish, the moneys so received to be applied to the public use of said city, and all persons failing or refusing to pay such commutation shall be liable to such fine, not exceeding twenty dollars, or imprisonment, not exceeding ten days, as the City Council may impose.

A. D. 1890.

Streets.

Compounding
for work on
streets.Penalty for
failure.

SEC. 7. The said Town Council shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by Sheriffs, Clerk of Court, Judge of Probate, Coroner, executor, or administrator, assignee in bankruptcy, or by any of the persons out of the order, decree of any Court, Trial Justice, or other inferior Court: *And provided, further*, That no license shall be charged citizens of the County who offer for sale country produce, poultry, butter, milk, eggs and fish caught in the neighboring fresh water streams and waters.

Auction sales.

Official sales.

Proviso as to
country pro-
duce, fish, &c.

SEC. 8. The said Council shall have the right to regulate the price of licenses upon all public shows and exhibitions in the said city; to erect a powder magazine and compel any person or persons holding more than twenty-five pounds of powder to store the same therein, and to make regulations for the rate of storage thereof, and for keeping and delivering the same, and to provide a penalty for the violation of said regulations.

Shows.

Powder maga-
zine.

SEC. 9. That the said Council shall also have the power to impose an annual tax not exceeding one dollar on every hundred dollars, in which shall be included the tax hereinafter provided for the payment of interest and a sinking fund on the bonds issued for erecting the jail and court house of Florence County, of the assessed value of real and personal property lying within the corporate limits of said city, real and personal property of churches and school associations excepted. And all property upon which a tax shall be levied by the said Council is hereby declared and made liable for the payment thereof in preference to all other debts against the said property, except debts due to the State, which shall first be paid. The value of said real and personal property, for the purposes of taxation, shall be fixed and assessed as hereinafter provided.

Taxation.

Lien for taxes.

Value to be
fixed.

A. D. 1890.

Assessors.

Oath.

Report to be made.

Compensation.

Penalty for refusal.

Report to be open for inspection.

Notice to taxpayers.

Reduction of assessment.

Returns of personal property.

Assessments by Clerk.

Taxpayer may be summoned to account.

SEC. 10. That the Mayor shall, annually, on or before the thirty-first day of May of each year, appoint three citizens of said city to assess the value of real estate for taxation, and said assessors, before entering upon their work, shall take an oath fairly and impartially to assess each parcel of real estate in said city, and a report, in writing, of the assessment as made by them shall be signed by said assessors, and the same filed in the office of the Clerk of said city within the period of thirty days next ensuing upon the date of their appointment. That the said assessors shall receive compensation for their labor, the same to be fixed by the said City Council; and any person who has been appointed to assess said real estate and shall refuse to perform the duties incident to said appointment shall be fined by said City Council not more than twenty-five dollars; that the report of the assessment of real property for taxation shall remain in the office of the Clerk of the said city for inspection of land owners for thirty days next after the filing thereof, and that a written notice shall be served personally within one week after the filing of said report upon each owner of real estate or his agent in said city, in cases where the valuation has been raised above that of the previous year; and it shall be in the power of said City Council, for good cause shown, to reduce such assessment if complaint against the same shall be made to them within thirty days next after filing the same for taxation. But after the expiration of said thirty days such assessment for taxation shall be final.

SEC. 11. That the said City Council shall, on or before the thirty-first day of May in each year, publish a notice to all the inhabitants of said city, for four successive weeks, requiring every owner of personal property within the corporate limits of the same to make a fair and just return, on oath, before the Clerk of said city, within a time fixed in said published notice; and upon the failure of any person who is the owner, or is the agent of the owner of any personal property, within the limits of said city to make such return thereof for taxation, it shall be the duty of said Clerk to assess said personal property for taxation, and his assessment shall be final. But in case the City Council disapproves the return of personal property made by the owners or by the agents of the owners of said personal property for taxation they shall have the power to compel each property owner, or the agent of such property owner, to appear before them and firmly account for the personal property of such

owner or agent. And in case of neglect or refusal of the owner or agent to obey the summons of the Mayor or Aldermen to come before them and account for his or her personal property, then, and in such case, the said Mayor and Aldermen may impose upon the said person so refusing a fine, not to exceed the sum of twenty-five dollars, for such neglect or refusal, and the said Mayor and Aldermen shall proceed to assess the personal property of the person who shall refuse to appear before them as aforesaid at what may in their judgment be its true value.

A. D. 1890.

Penalty for failure to appear.

Assessment by Council.

SEC. 12. That the said City Council shall publish for at least thirty days in each year the method of taxation adopted by them for that year, stating in such notice the rate of taxation as fixed by said Council, and prescribing the time when the taxes shall be payable, which time of payment the said City Council may, for good cause shown, extend the time, provided the extension shall be general.

Notice of taxes to be published.

Extension of time.

SEC. 13. That the said City Council, for the purpose of collecting the taxes upon the real and personal property within the corporate limits of said city, and also for the purpose of collecting such fines as they may have imposed when the said taxes and said fines have not been paid by the person against whom the said taxes have been assessed, or against whom the said fines may have been passed, shall have the power and authority to issue execution against property, both real and personal, of the person who has failed to pay his or her taxes, or who has failed to pay the fine imposed, directed to the Sheriff of Florence County, requiring him to sell at Florence, at public outcry, the property, real or personal, or both, as the case may be, of the person described in said execution, to pay the amount fixed in said execution to be due, and that the said execution herein provided for shall conform, as near as can be, to that issued out of the Court of Common Pleas in this State against property, and said execution shall be prepared by the Clerk of the Council, signed by the Mayor, or Mayor *pro tem.*, of the said city, attested by the common seal of the said city; and the Sheriff before making any sales of real or personal property under said execution shall advertise a notice of said sale, describing the property therein, in one of the newspapers published in said city, for twenty days next preceding said sale if the same be of real estate, and for fifteen days if the same be of personal property; and after the Sheriff shall have sold the property, he shall, after payment of the costs of said execution and expenses

Council may issue executions

Requirements of the execution

How signed, &c.

Advertisement of sales.

- A. D. 1890.** of said sale, forthwith turn over from the proceeds of such sale
Disposition of or sales an amount equal to the tax or fine specified as due in
proceeds. the execution to the Treasurer of said city upon his receipt
therefor; and the purchaser at the sale of said Sheriff shall re-
Paper title to ceive a deed in case of the sale of land, and a bill of sale in case
purchasers. of the sale of personal property, from the said Sheriff, and the
To convey ab- same shall in law operate to convey the absolute estate of the
solute title. delinquent taxpayer or of the person upon whom a fine may
have been imposed and payment neglected or refused. The
Costs to Clerk Clerk of said Council shall be entitled to fifty cents for each
and Sheriff. execution prepared by him, in full of his costs, and the Sheriff
shall be entitled, for the lodgment of said execution and the
levy and sale thereunder, to the same costs as are allowed him
by law for the same services on execution issued under judgment
obtained in the Court of Common Pleas, and said costs of said
Clerk and said Sheriff shall be collected through said execution,
Disposition of out of the property of the defendant; after the payment out of
surplus. the proceeds of said sale of said costs and expenses, and the
amount called for by said execution, the said Sheriff shall dis-
pose of the same in like manner as is provided by law in cases
of execution issuing out of the Court of Common Pleas.
- Opening and** SEC. 14. That the City Council of Florence shall have full
closing of power and authority to open new streets in said city, and to
streets. close up, widen or otherwise alter those in use, or which may
hereafter be established, whensoever in their judgment the same
may be necessary for the improvement or convenience of said
city, with the consent of the adjacent land-owners, or in such
manner as may be provided by law.
- Policemen.** SEC. 15. That the said City Council shall have power, and are
hereby authorized, to elect one Chief of Police, and as many
assistants as may be necessary (in addition to the Sheriff of
Florence County, who shall be *ex officio* a policeman of said
city), to fix their salaries and prescribe their duties. They shall
Powers and be sworn in and vested with all of the powers now conferred by
duties. law upon Constables, and subjected to all the liabilities and du-
ties that now are, or may hereafter may be, conferred upon Con-
stables, in addition to the special duties devolved upon them by
the said City Council: *Provided*, That their jurisdiction shall
not extend beyond the limits of the said corporation.
- Jurisdiction.** SEC. 16. That the said City Council shall have power to
establish a guard house, and to prescribe by ordinance suitable
rules and regulations for keeping and governing the same.
- Guard house.**

And the said City Council may by ordinance, or the said Mayor or Aldermen in person, any one or more of them, authorize and require any policeman of the city, or any Constable specially appointed for that purpose, to arrest and commit to said guard house, for a term not exceeding twenty-four hours, Sunday excepted, any person or persons who, within the corporate limits of said city may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said city or any of them; and it shall be the duty of the policemen to arrest and commit all such offenders when required to do so, who shall have the power to call to their assistance the *posse comitatus*, if need be, to aid in making such arrests; and upon failure of the city policeman to perform such duty if required, they shall severally be subject to such fines and penalties as the City Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as provided by this Act for the collection of fines imposed for violation of ordinances: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he may have committed.

A. D. 1890.

Arrest and
commitment.Posse comi-
tatus.

Provided.

SEC. 17. That the said City Council shall have the power to collect the taxes from all persons representing publicly within the corporate limits for gain or reward any plays or shows of any kind whatsoever, said tax to be used for the purposes of said city.

Tax on plays
and shows.

SEC. 18. That all the fines which shall be hereafter collected for retailing without license within the corporate limits of the said city shall be paid one-half to the informer and the other half to the City Council for the use of the said city.

Half fines for
liquor selling to
go to informer.

SEC. 19. That the said City Council shall have power to abate all nuisances within their corporate limits, and also to appoint a Board of Health of said city, and to pass such ordinances as may be necessary to define the duties and powers of said Board, and to impose fines and penalties upon the members of said Board for neglect of duty or refusal to serve: *Provided*, That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars. The said City Council of Florence shall have power and authority to require the owner or owners of any lot or lots in said city to keep the streets in front of said lot or lots

Nuisances.

Board of
Health.Lot owners to
keep streets
clean.

A. D. 1890.	<p>clear of all filth and rubbish, and also to make and keep in good repair sidewalks in front of said lot or lots when the same shall front on or adjoin any of the public streets of the said city, if in the judgment of the said City Council such sidewalks shall be necessary, the width thereof and the manner of their construction to be designated and regulated by the said City Council ;</p> <p>and for default or refusal on the part of such owner or owners to keep in repair such sidewalks whenever required, the said City Council may cause the said streets to be cleaned or such sidewalks be made and kept in repair, and require such owner or owners to pay the costs and expenses thereof: <i>Provided, however,</i> That contracts for cleaning the said streets or making and putting in repair such sidewalks shall be let to the lowest bidder.</p>
Sidewalks.	
Penalty for default.	
Contract to be let to lowest bidder.	
Bonds and script.	<p>SEC. 20. That the said Mayor and Aldermen may, for the purpose of internal improvements, borrow money, issue bonds or script therefor, bearing not a greater interest than seven per cent., payable at such times as they may think advisable, and payable out of the taxes and income of the said city: <i>Provided,</i> Said principal of bonds and script shall at no time exceed fifty thousand dollars: <i>Provided, further,</i> That the right to issue said bonds or script (in sums exceeding one thousand dollars) shall only exist in a majority vote of the city as hereafter provided. That no one shall be entitled to vote on said question unless he or she is the owner of property within the corporate limits of said city and has returned and paid taxes on one hundred dollars' worth of property the year previous to such voting, and on each one hundred dollars' worth of property so returned and paid for the person or persons shall be entitled to one vote. The manner of holding said election shall be provided for by the City Council of said city. <i>It is also provided, further,</i> That the time and manner and form and payment of said bonds and script shall be provided for by the City Council of said city ; that no bond shall be sold for less than its par value.</p>
Limit.	
Issue of bonds over \$1,000.	
Who may vote at election as to debt.	
Provisions as to bonds.	
Council exempt from street duty.	<p>SEC. 21. That the Mayor and Aldermen shall during their term of office be exempt from street duty. Each City Council shall within one month after expiration of their term of office make out and return to their successors a full account of their receipts and expenditures during their term, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and papers incidental to their office to their successors ; and on failure to do so they shall be liable</p>
Account to successors.	
Surrender of books, &c.	

to be fined in a sum not to exceed one hundred dollars, to be collected in any proper action by the City Council.

A. D. 1890.

SEC. 22. That for any willful violation or neglect of duty, malfeasance in office, abuse or oppression, the said Mayor and Aldermen, jointly and severally, shall be liable to indictment in the Court of Sessions, and upon conviction to punishment as prescribed in the preceding Section, besides being liable for damages to any person or persons injured.

Penalty.
Malfeasance
and misfeasance

SEC. 23. The Mayor and Aldermen of the City of Florence are hereby authorized and empowered to establish and keep up one or more public scales for weighing cotton and other articles sold by weight in said city, and to appoint one or more public weighers, who shall be sworn by the Mayor to faithfully perform the duties of said office, and who shall be removable at the pleasure of the City Council. And said City Council is authorized to assess a sum not exceeding ten cents on each bale of cotton, and a proportionate sum on all articles weighed, to be paid for by the buyer, for the use of said city. And that the said scales shall be the standard to which all others in said city shall conform.

Public scales.

Weighers.

Charges for
weighing.

Standard scales.

SEC. 24. That the said City Council may require the payment of such reasonable license taxes by any person engaged in, or about to engage in, any calling, business or profession carried on within the limits of said city, except those engaged as teachers or ministers of the Gospel.

License tax.

Exceptions.

SEC. 25. That the said city is hereby divided into four wards, as follows: The First Ward shall embrace all that portion of said city lying North of Evans street and East of Dargan street; the Second Ward shall embrace all that portion of said city lying South of Evans street and East of Dargan street; the Third Ward shall embrace all that portion of said city lying West of Dargan street and North of Evans street; the Fourth Ward shall embrace all that portion of the same West of Dargan street and South of Evans street: *Provided, however,* That the City Council may readjust and change the boundaries of said wards at any time, or times, after the first election under this charter, preserving as nearly as possible an equality of population and values of property in said wards.

Divided into
wards.
First.

Second.

Third.

Fourth.

Changes in
wards.

SEC. 26. The City Council of Florence, in addition to the powers heretofore granted them, shall have authority so to control the erection of all buildings and improvements in said city

Council to con-
trol building.

A. D. 1890. as to conduce to the public safety and security of the said city and the inhabitants thereof.

Labor on the streets. SEC. 27. That the said City Council of Florence shall have power to require all persons who may be sentenced by the Mayor or City Council to imprisonment to labor upon the streets of said city.

Not a repeal of former laws. SEC. 28. That this Act is not intended to repeal any law now of force in the Town of Florence where not in direct conflict herewith; and this Act shall go into effect on the first day of January, A. D. 1891; and all ordinances heretofore passed by the Town Council of the Town of Florence under existing laws that are not in conflict with any of the provisions of this Act be, and the same are declared to be, of full force and effect in the said City of Florence; and until the election of Mayor and Aldermen herein provided for, the Town Council at Florence be, and they are hereby, declared to be the City Council of Florence, and the Intendant vested with the name and all the power and duties of the Mayor of said city and the Wardens vested with the name and all the powers and duties of Aldermen of the said City of Florence.

Repealing clause. SEC. 29. That all Acts and parts of Acts heretofore passed in relation to the incorporation for the Town of Florence, and all Acts or parts of Acts amendatory thereof, inconsistent with this Act, be, and the same are hereby, repealed.

Public Act. SEC. 30. That this Act shall be deemed a public Act, and
Duration. continue in force until amended, altered or repealed.

Approved December 24th, A. D. 1890.

No. 577. AN ACT TO PROHIBIT THE SALE OF SPIRITUOUS, MALT OR INTOXICATING LIQUORS IN THE TOWN OF TIMMONSVILLE, IN FLORENCE COUNTY.

Liquor license prohibited. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage and approval of this Act the Town Council of the Town of Timmons ville, in the County of Flor-

ence, are hereby prohibited from granting any license for the sale of spirituous, malt or intoxicating liquors in said town. A. D. 1890.

SEC. 2. That all Acts or parts of Acts in conflict with this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO REGULATE THE TERM OF OFFICE OF THE FOUR COMMISSIONERS OF THE SCHOOL DISTRICT OF THE TOWN OF FLORENCE," APPROVED DECEMBER 23, A. D. 1889, SO AS TO RETIRE ONE COMMISSIONER EACH YEAR. No. 578.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to regulate the term of office of the four Commissioners of the School District of the Town of Florence," approved December 23d, A. D. 1889, be, and the same is hereby, amended, so that said Section as amended shall read as follows: A. A. 1889, §1, ante 552, amended.

SECTION 1. That from and after the passage of this Act the term of office of the four School Commissioners of the School District of the Town of Florence, in this State, shall be as follows, to wit: The Commissioner from Ward 1 of said town shall hold office for one year from the date of his election, and at the expiration of his said term a Commissioner shall be elected for a term of four years from Ward 1; and that the Commissioner from Ward 2 shall hold office for two years, and at the expiration of his term a Commissioner from Ward 2 shall be elected for a term of four years; and that the Commissioner from Ward 3 shall hold office for three years, and at the expiration of three years from the date of his election a Commissioner for Ward 3 shall be elected for the term of four years; and that the Commissioner from Ward 4 of said town shall hold office for a term of four years from the date of his election, and at the expiration of his said term of office there shall be elected a Commissioner from Ward 4 for a term of four years; and that such elections Section as amended.
Terms of office of School Commissioner.
Future elections.

A. D. 1890.

One Commissioner to retire each year.

shall so be had and held thereafter in the same way as to terms, so that each Commissioner after the first Board shall hold office for a term of four years, and yet one Commissioner shall retire each and every year, unless such Commissioner be re-elected at the expiration of his term.

Approved December 24th, A. D. 1890.

No. 579. AN AOT TO CHANGE THE NAME OF THE "FLORENCE TOBACCO MANUFACTURING AND WAREHOUSE COMPANY" TO THAT OF THE "FLORENCE TOBACCO COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the "Florence Tobacco Manufacturing and Warehouse Company" be changed to that of the "Florence Tobacco Company."

Approved December 24th, A. D. 1890.

NOTE.—For Act relating to term of service of jurors in Florence County, see Act No. 568, ante p. 868.

No. 580. AN AOT TO PROVIDE FOR THE REINDEXING AND REARRANGING OF THE BOOKS AND RECORDS OF THE OFFICE OF THE CLERK OF COURT AND REGISTER OF MESNE CONVEYANCES FOR THE COUNTY OF GEORGETOWN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, as soon as practicable after the passage of this Act, it shall be the duty of the Clerk of the Court of Common Pleas and Register of Mesne Conveyances for Georgetown County to arrange and index the records of the old Court of Equity for said County, and to file the same in suitable pigeon-holes, where they may easily be referred to.

Clerk to reindex and arrange equity records.

2. To have rewritten and reindexed the Abstract of Judgments in said office from the earliest date, supplying all omissions therein, and renumbering the judgments and judgment rolls as may be necessary.

A. D. 1890.

Abstracts of judgment.

3. To record at length all judgments and decrees now on file in said office from the year 1865 to the present time, and to index the same by the names of the defendants, with a cross-index by the names of the plaintiffs, each alphabetically arranged and kept in separate volumes, with the number of enrollment of the judgments and decrees.

To record judgments and decrees.
Index.

4. To rearrange and renumber the judgment rolls in said office, so as to conform the same to the Book of Judgments and Decrees and the Abstract of Judgments.

Judgment rolls.

5. To prepare four separate indexes to the books of registry in the office of the Register of Mesne Conveyances, to wit: 1. Direct and cross-index to Conveyances of Real Estate; 2. Direct and cross-index to Mortgages of Real Estate; 3. Direct and cross-index to Bills of Sale of Personal Property; 4. Direct and cross-index to Mortgages of Personal Property; said indexes to be prepared upon what is known as the lexicographical plan, and to conform in size and quality to the requirements of Section 769 of the General Statutes of this State.

To prepare four direct and cross indexes.

Lexicographically.

SEC. 2. That hereafter all bills of sale of personal property, mortgages of personal property, deeds of conveyance and mortgages of real estate in said County shall be recorded in separate volumes, which shall be numbered alphabetically.

Separate records.

SEC. 3. That the books and stationery necessary for the preparation of the said indexes and for the completion of the other work required by this Act shall be provided by the County Commissioners of said County upon the requisition of the said Clerk of Court and Register of Mesne Conveyances, endorsed and approved by the Commission hereinafter provided for; and the cost of said books and stationery, as also the expenses of performing the work herein required, shall be paid by the said County Commissioners out of the funds of the County: *Provided*, That no compensation shall be allowed to the said Clerk of Court and Register of Mesne Conveyances for such portion of the work required by this Act as may embrace the period of his incumbency in said office, and which may have heretofore been required by law, but left undone by him.

Books and stationery to be furnished by County Commissioners.

No compensation to Clerk for work of his own term.

SEC. 4. That the expenses of making said indexes and rewriting and rearranging said records shall not exceed the sum of six

Cost of work.

A. D. 1890. hundred dollars, an itemized account of which shall be made out and sworn to by the said Clerk and Register of Mesne Conveyances and presented to the Board of County Commissioners, but the same shall not be audited or allowed until the Commission hereinafter provided for shall certify that they have examined the work, and that it has been carefully and accurately performed, and that they believe the accounts of said Clerk and Register for said work to be just, reasonable and correct.

Itemized account.

When to be audited.

Commission to examine work. SEC. 5. That a Commission, consisting of three members of the bar of said County, shall be appointed by the Circuit Judge presiding at the first or any succeeding term of the Court of Common Pleas for said County after the passage of this Act ;

Vacancies. any vacancies in the said Commission, by death or otherwise, to be filled in like manner ; and each of said Commissioners shall

Compensation. be allowed a compensation of five dollars per day for each day actually engaged in making the examination of said work, no Commissioner to receive, however, more than fifty dollars.

Approved December 24th, A. D. 1890.

No. 581. AN ACT TO AMEND SECTION 5, SUBDIVISION *b*, OF AN ACT ENTITLED "AN ACT TO ALTER AND AMEND THE LAW RELATING TO THE NUMBER, TERRITORIAL JURISDICTION AND PAY OF TRIAL JUSTICES AND CONSTABLES IN THE SEVERAL COUNTIES THEREIN MENTIONED," APPROVED DECEMBER 24TH, 1888.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 5, Subdivision *b*, of an Act entitled "An Act to alter and amend the law relating to the number, territorial jurisdiction and pay of Trial Justices and Constables in the several Counties therein mentioned," approved December 24th, 1888, be, and the same is hereby, amended, so that the said Subdivision, as amended, shall read as follows :

A. A. 1888, § 5, 1b, ante 89, amended.

Salaries of Trial Justices and Constables. SUBDIVISION *b*. That the salaries of said Trial Justices and of their Constables shall be as follows : The Trial Justice residing in the Town of Georgetown, two hundred dollars ; the Trial

Justice residing in the Village of Plantersville, one hundred and twenty-five dollars, and each of the other Trial Justices seventy-five dollars per annum. Each of the Constables appointed by said Trial Justices shall receive the sum of fifty dollars per annum, except the Constable appointed by the Trial Justice residing in the Town of Georgetown, who shall receive a salary of two hundred dollars per annum, and the Constable appointed by the Trial Justice residing in the Village of Plantersville, who shall receive a salary of seventy-five dollars per annum; and the salaries of all the said Trial Justices and Constables shall be in lieu of all fees, costs and charges in criminal cases: *Provided*, That when the Sheriff of said County shall act as Constable for the Trial Justice residing in the Town of Georgetown, the compensation hereinbefore provided for shall be paid him for all services in cases cognizable by the said Trial Justice, and for all services in cases cognizable by the Court of General Sessions he shall receive the fees allowed by law: *Provided, further*, That no Trial Justice for said County residing outside of the Town of Georgetown shall issue any warrant or other process to the Sheriff of said County in any case triable by him. That the jurisdiction, both civil and criminal, of each of said Trial Justices shall extend over the whole County.

A. D. 1890.

In lieu of costs.

Compensation to Sheriff.

Provide as to country Trial Justices.

Jurisdiction.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO ESTABLISH AND CHARTER SAMPIT FERRY ON SAMPIT RIVER IN GEORGETOWN COUNTY,'" APPROVED DECEMBER 24TH, A. D. 1883. No. 582.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to establish and charter Sampit Ferry on Sampit River in Georgetown County,'" approved December 24th, A. D. 1883, be, and the same is hereby, amended so that said Section when so amended shall read as follows:

A. A. 1883,
§ 1, 18 Stat., 514,
amended.

A. D. 1890.
 SECTION 1. That a public ferry be, and the same is hereby,
 established and chartered to reach across Sampit River in George-
 town County, at a point known as Sampit Ferry, to be known
 as Sampit Ferry, and that said ferry be vested in J. Harleston
 Reid and his heirs for the full term of twenty years, and that
 the following rates of toll be charged and collected, and no more :
 For a buggy with one horse, 25 cents each way ; buggy with
 two horses, 35 cents each way ; carriage with two horses, 50
 cents each way ; wagon with one horse, 20 cents each way ; wagon
 with two horses, 35 cents each way ; wagon with four horses,
 50 cents each way ; sulky with one horse, 15 cents each way ;
 ox cart with one ox, 15 cents each way ; ox cart with two
 oxen, 20 cents each way ; ox cart with four oxen, 35 cents each
 way ; cart with one horse, 15 cents each way ; man and horse,
 ten cents each way ; led horses and mules, 5 cents per head
 each way ; cattle, sheep and swine, 2 cents per head each way ;
 for every foot passenger, 5 cents each way : *Provided*, That chil-
 dren going to and returning from school shall be passed free of
 charge.

Approved December 24th, A. D. 1890.

No. 583. AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL
 OF GEORGETOWN, S. C., TO GRANT A SITE FOR A CONFEDERATE
 SOLDIERS' MONUMENT TO THE SURVIVORS' ASSOCIA-
 TION OF COMPANY A, 10TH SOUTH CAROLINA REGIMENT
 VOLUNTEERS, C. S. A.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 the Town Council of the Town of Georgetown, South Carolina,
 be, and they are hereby, authorized and empowered to grant
 permission to the Survivors' Association of Company A, 10th
 South Carolina Regiment Volunteers, C. S. A., to erect a Con-
 federate soldiers' monument upon a site, not exceeding fifteen
 feet square, at the intersection of Broad and High Market
 streets in said town, with the privilege of enclosing said monu-
 ment with a suitable fence.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO SELL A PORTION OF THE JAIL LOT IN THE CITY OF GREENVILLE AND USE THE PROCEEDS IN THE IMPROVEMENT OF THE PRESENT COUNTY COURT HOUSE.

A. D. 1890.

No. 584.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Greenville be, and they are hereby, authorized, empowered and required to sell and convey, in fee simple, a portion of the jail lot in Greenville City, and to apply the proceeds to the improvement of, and adding to, the present County court house of said County of Greenville, or so much of the proceeds as are necessary to make the needed repairs.

To sell lot.

To improve present court house.

Approved December 20th, A. D. 1890.

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO ISSUE COUPON BONDS FOR THE PURPOSE OF REFUNDING THE INDEBTEDNESS OF SAID COUNTY FALLING DUE IN JULY 1891, UPON BONDS ISSUED IN AID OF THE ATLANTA AND RICHMOND AIR LINE RAILWAY COMPANY, OR TO BORROW MONEY TO PAY OFF SAME.

No. 585.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of refunding the indebtedness of the County of Greenville upon bonds issued in aid of the Atlanta and Richmond Air Line Railway Company, which bonds fall due in July, 1891, the Board of County Commissioners of the County of Greenville be, and they are hereby, authorized and empowered to issue coupon bonds to an amount not exceeding the amount of the said bonds falling due in July, 1891, now outstanding, said bonds to bear interest not exceeding the rate of seven per cent. per annum, payable on the first day of July of each and every year, to bear date from the first day of July, 1891, and to be made

Bonds for refunding to be issued.

Description of bonds.

A. D. 1890.

payable at a time not to exceed twenty years from the date of the same.

Loans authorized.

SEC. 2. That should the Board of County Commissioners of Greenville County deem it advisable and to the interest of said County to borrow money and pay off said indebtedness, or any part of it, and not issue the bonds mentioned in Section 1 of this Act, that then they be, and are hereby, authorized and empowered to borrow such sum or sums of money as may be necessary for that purpose, and to execute the obligations of the County therefor.

Obligations to secure loans.

Approved December 24th, A. D. 1890.

No. 586. AN ACT TO CHANGE THE NAME OF TEXANA KELLY OF GREENVILLE COUNTY TO TEXANA STROUD AND ALLOW HER TO INHERIT FROM NEWTON J. STROUD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Texana Kelly of Greenville County be, and the same is hereby, changed to Texana Stroud ; and that in case the said Newton J. Stroud shall die intestate, the said Texana Stroud shall inherit from him in the same manner as if she had been born his legal heir.

Name changed.

Empowered to inherit.

Approved December 20th, 1890.

No. 587. AN ACT TO INCORPORATE THE TOWN OF MAULDIN, GREENVILLE COUNTY.⁽¹⁾

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

(1) This Act was passed and approved in duplicate; but as the two are word for word the same, only one is printed. They were both approved on the same day.—EDITOR.

all citizens of the United States who now are, or hereafter may be, inhabitants of the Town of Mauldin shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be known by the name of Mauldin, and the limits shall extend one-half mile in every direction from the depot of the Greenville and Laurens Railroad, so that the limits shall form a circle.

A. D. 1890.

Incorporation.

Name and limits.

SEC. 2. Said Town of Mauldin shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885.

Rights and limitations.

19 Stat., 174.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

Public Act.

Duration.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the Town of Mauldin, in the County of Greenville.

Sale of liquors not allowed.

SEC. 5. This Act shall take effect immediately upon its approval.

When to take effect.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE THE CITY COUNCIL OF GREENVILLE TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING, ERECTING, IMPROVING, REPAIRING AND FURNISHING SCHOOL BUILDINGS FOR THE FREE PUBLIC SCHOOLS OF THE CITY OF GREENVILLE, AND TO PROVIDE FOR THE INTEREST ACCRUING THEREON. No. 588.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of the City of Greenville shall have power, and are hereby authorized and required, to issue bonds of said city on or before the first day of February, 1891, to the amount of seven thousand dollars for the purpose of purchasing one school

Bonds to be issued.

Amount and purpose.

A. D. 1890.	house site, with or without buildings, erecting new ones, furnishing same and improving school house grounds for the free public schools of the City of Greenville; said bonds to be issued in such denomination as said City Council may deem best, and to be payable twenty years from the date of said bonds, with interest payable semi-annually at the rate of not more than six per cent. per annum, and the coupons for said interest, when due, to be receivable in payment of all taxes levied by or due to said city: <i>Provided</i> , That said bonds shall not be issued until the question of issuing the same shall have been submitted to a vote of the qualified voters of said city, at an election to be held for that purpose on the last Tuesday in January, 1891, and if a majority of the voters shall vote in favor of issuing said bonds, then the City Council of the said city shall issue the same as hereinbefore provided: <i>Provided, further</i> , That the said City Council of the City of Greenville shall give ten days' public notice of the time and place of said election, appoint the Managers, and declare the result of said election.
Description of bonds.	
To be determined by election.	
Duty of City Council.	
Bonds to be delivered to School Trustees.	SEC. 2. That the said City Council shall turn over said bonds when issued to the Board of Trustees of the free public schools of the School District of the City of Greenville.
Use of bonds. Proviso.	SEC. 3. That the said Board of Trustees are authorized and empowered to sell or hypothecate said bonds: <i>Provided</i> , That they shall not sell or hypothecate said bonds for less than their par value, and until said bonds are sold or hypothecated, and if sold or hypothecated, the proceeds thereof shall be deposited in bank, to be drawn out only upon the order of said Board of Trustees, and countersigned by the Chairman and Treasurer.
Application of proceeds.	SEC. 4. That the money arising from the sale or hypothecation of said bonds be used exclusively for the purposes set out in Section one of this Act, and to this end shall be expended under the direction and control of said Board of Trustees; and should any of said bonds be not used by said Board of Trustees, the same shall be returned to the said City Council, and by it canceled.
Cancellation of unused bonds	
Property rights of trustees.	SEC. 5. That the said Board of Trustees, and their successors in office, are authorized and empowered to take and hold in trust for said School District all necessary lands and tenements and personal property, whether by purchase, grant, devise, gift or bequest, and use and apply the same in the interest of their District and the welfare of their schools.

SEC. 6. That the said City Council shall, semi-annually, at such time as they may fix and determine, pay the interest due on said bonds; and for this purpose the said City Council, in addition to the powers already conferred, shall be authorized and required annually to levy such tax upon the real and personal property assessed for taxation in said city as may be deemed necessary to pay the interest of the said bonds which may become due in each and every year until the whole of said bonds shall be paid.

A. D. 1890.
Payment of
interest.

Annual tax
levy.

SEC. 7. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing
clause.

SEC. 8. That this Act take effect immediately after its approval by the Governor.

When to take
effect.

Approved December 24th, A. D. 1890.

AN ACT TO CHARTER "THE SANS SOUCI DRIVING PARK No. 589.
ASSOCIATION OF GREENVILLE, S. C."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. H. Perry, Alexander McBee, Sr., E. P. McKissick, N. H. Jenkins, Joseph Walker, E. H. Fulenwider, A. A. Gates, Edward Croft and Hext M. Perry and their successors and associates shall be, and they are hereby declared to be, a body politic and corporate, by the name and style of "The Sans Souci Driving Park Association of Greenville, S. C.," and by the said name shall have succession of officers and members and have a common seal.

Corporators.

Incorporation,
name and pow-
ers.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of fifty thousand dollars, to sell the same, and by its corporate name to sue and be sued in any Court in this State, and to make such rules and by-laws as may be thought expedient.

Property rights.

Limit.

Other rights.

SEC. 3. That said association and their successors in office shall have power and authority to appoint peace officers who shall have the powers of policemen, and may arrest, during the

Peace officers
and their pow-
ers.

A. D. 1890. meetings of said association and during the times their races are going on, parties for disorderly conduct, and detain them and carry them before the nearest Trial Justice for trial, and that said Trial Justice is hereby authorized and empowered to punish persons found guilty of disorderly conduct, by fine not exceeding twenty-five dollars, or thirty days in jail.

Powers of Trial Justice.

Public Act. SEC. 4. That this Act shall be deemed a public Act and continue of force until repealed.

Duration. Approved December 23d, A. D. 1890.

No. 590. AN ACT TO AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE STREET RAILWAY COMPANY OF THE CITY OF GREENVILLE," APPROVED MARCH 9TH, 1875.

A. A. 1875, §2, 15 Stat., 879, amended. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the Street Railway Company of the City of Greenville," approved March 9th, 1875, be, and the same is hereby, amended so as to read as follows:

Section as amended. SECTION 2. That said Street Railway Company shall have power and authority, subject as is hereinafter provided to the ordinances, authority and supervision of the City Council of Greenville relative thereto, to lay railway tracks through and along the streets within the corporate limits of the City of Greenville, and to use and employ upon such railway tracks sufficient and suitable carriages or cars, to be drawn by horses or animal power, electricity, steam or other power, for the transportation of passengers and freight, upon such rates as shall be fixed by the said company and approved by the said City Council, and for this purpose shall have all the authority and power necessary to carry the same into effect; and for the purpose of applying electricity or other power, the said corporation is authorized to erect or place in said streets or ways poles and wires and other necessary or useful appliances: *Provided*, That they shall be placed in such manner as not to interfere with or obstruct the use of said streets or ways: *Provided, further*, That

To construct street railway.

Motive power.

Electric power.

Poles and wires. Proviso.

Consent of City Council.

before erecting any appliances the consent of the City Council shall be obtained, and the place and location thereof approved.

A. D. 1890.

Approved December 24th, A. D. 1890.

AN ACT TO CHANGE THE NAME OF THE "GREENVILLE BAPTIST CHURCH" TO THAT OF THE "FIRST BAPTIST CHURCH OF GREENVILLE," AND VEST ALL THE POWERS AND PRIVILEGES TO THE SAME. No. 591.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the "Greenville Baptist Church," of Greenville, S. C., be, and the same is hereby, changed to that of the "First Baptist Church of Greenville, S. C.," and all the powers and privileges heretofore vested by the Acts of the General Assembly of this State in the "Greenville Baptist Church" be, and they are hereby, vested in the "First Baptist Church of Greenville, S. C.," and the charter of which is hereby revived and continued of force.

Name changed.

Transfer of powers.

Charter revived.

SEC. 2. This Act shall be deemed a public Act, and shall continue in force until repealed.

Public Act.

Duration.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE GREENVILLE ELECTRIC RAILWAY COMPANY. No. 592.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Frank Hammond, E. A. Buck, Joseph S. Anthony, and George H. Fowle, and their associates and successors, are hereby constituted a corporation under the name of Greenville Electric Railway Company.

Incorporation.

Name.

- A. D. 1890.** **SEC. 2.** Said corporation shall have the right to construct, maintain and operate lines of railway through any of the streets or ways of the City of Greenville and County of Greenville, for the carriage of passengers and freight: *Provided*, That no line shall be constructed in the streets or ways of said City of Greenville until the City Council of said city has first assented thereto.
- Street railway authorized.** **City Council to consent.**
- Motor power.** **SEC. 3.** Said lines of railway may be operated by electricity, horses or other power; and for the purpose of applying electricity or other power, the said corporation is authorized to erect or place in said streets or ways poles and wires and other necessary or useful appliances: *Provided*, That they shall be placed in such manner as not to interfere with or obstruct the use of said streets or ways: *Provided, further*, That before erecting any appliances the consent of the City Council shall be obtained and the place and location thereof approved.
- Poles and wires for electricity.** **Proviso.** **Consent of City Council.**
- Capital stock.** **SEC. 4.** The capital stock of the corporation shall not be less than five thousand dollars for each mile of road constructed.
- Property rights.** **SEC. 5.** The corporation may take by purchase, and hold, such real estate as it may find convenient for the proper conduct of its business. It may make by-laws fixing the amount of its capital stock, the number of its Board of Directors and other officers, and defining the powers and duties of the Directors and officers; also, making rules and regulations governing the corporation and the conduct of its business, not inconsistent with the laws of the State.
- By-laws.**
- Bonds and mortgages.** **SEC. 6.** Said corporation may issue bonds, and to secure the payment of the same may mortgage or convey in trust its franchise and other property.
- Public Act.** **SEC. 7.** This Act shall be a public Act, to continue in force 30 years, and take effect upon its approval.
- Duration.**
- Approved December 24th, A. D. 1890.

No. 593. AN ACT TO INCORPORATE THE GREENVILLE ELECTRIC RAILWAY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That Frank Hammond, E. A. Buck, Joseph S. Anthony and George H. Fowle, and their associates and successors, are hereby constituted a corporation under the name of Greenville Electric Railway Company.

A. D. 1890.

Incorporation.

Names.

SEC. 2. Said corporation shall have the right to construct, maintain and operate lines of railway through any of the streets or ways of the City of Greenville, and County of Greenville, for the carriage of passengers and freight: *Provided*, That no line shall be constructed in the streets or ways of said City of Greenville until the City Council of said City has first assented thereto.

Street railway authorized.

City Council to consent.

SEC. 3. Said lines of railway may be operated by electricity, horses or other power; and for the purpose of applying electricity or other power, the said corporation is authorized to erect or place in said streets or ways poles and wires and other necessary or useful appliances: *Provided*, That they shall be placed in such manner as not to interfere with or obstruct the use of said streets or ways.

Motor power.

Poles and wires for electricity.

Proviso.

SEC. 4. The capital stock of the corporation shall not be less than five thousand dollars for each mile of road constructed.

Capital stock.

SEC. 5. The corporation may take by purchase, and hold, such real estate as it may find convenient for the proper conduct of its business. It may make by-laws fixing the amount of its capital stock, the number of its Board of Directors and other officers, and defining the powers and duties of the Directors and officers, also making rules and regulations governing the corporation and the conduct of its business, not inconsistent with the laws of the State.

Property rights.

By-laws.

SEC. 6. Said corporation may issue bonds, and to secure the payment of the same may mortgage or convey in trust its franchise and other property.

Bonds and mortgages.

SEC. 7. This Act shall be a public Act, continue in force thirty years, and take effect upon its approval.

Public Act.

Duration.

Approved December 24th, A. D. 1890.

A. D. 1890.

No. 594.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF HAMPTON COUNTY TO APPLY TO THE COMMON FREE SCHOOL FUND FOR SAID COUNTY A CERTAIN UNEXPENDED BALANCE ARISING FROM THE COLLECTION OF TAXES FOR SCHOOL PURPOSES IN THE YEARS 1884-85 AND 1885-86, AND TO MAKE SUCH UNEXPENDED BALANCE APPLICABLE TO THE PAYMENT OF ANY OUTSTANDING SCHOOL CLAIMS OR ANY SCHOOL CLAIMS THAT MAY HEREAFTER ARISE.

Preamble.

Whereas the County Treasurer of Hampton County has in his hands an unexpended balance of five hundred and ninety-two 16-100 dollars, collected for school purposes in the fiscal years 1884-85 and 1885-86 ; therefore,

Unexpended
balances.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Hampton County be, and he is hereby, authorized and required to apply the unexpended balance in his hands arising from the collection of taxes for school purposes in the fiscal years 1884-85 and 1885-86 to the common free school fund of said County, out of which shall be paid any outstanding school claims or any school claims that may hereafter arise.

Appropriated
to school fund.

Approved December 23d, A. D. 1890.

No. 595. AN ACT TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF HAMPTON COUNTY TO OPEN AND CONSTRUCT A PUBLIC HIGHWAY ACROSS WHIPPY SWAMP.

Route of new
road.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Hampton County be, and they are hereby, authorized and directed to open and construct a public road from Young and Terry's store, by Rivers' old mill, to G. M. Bowers' mill, and to construct the necessary bridges over Whippy Swamp, on the head waters thereof, and for this purpose are authorized to call out such persons as are liable by law to work on

How to be ac-
complished.

public highways, and to expend such sum of money as in their judgment is necessary to complete the road and bridges thereon.

A. D. 1890.

Approved December 20th, A. D. 1890.

AN ACT TO PROVIDE FOR THE FENCING OF CERTAIN PORTIONS OF HAMPTON COUNTY, IN THIS STATE, AND TO EXEMPT THE SAME FROM THE OPERATION OF THE PROVISIONS OF PART 1, TITLE X, CHAPTER XXVII, OF THE GENERAL STATUTES, ENTITLED GENERAL STOCK LAW AND FENCING STOCK, AS TO CATTLE, HORSES AND SHEEP. No. 526.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Hampton County, upon the receipt by them of a petition or petitions of a majority of the freeholders of the territory in said County hereinafter described, are hereby authorized and required to levy a tax of not more than two mills on the dollar on all property within said territory, for the purpose of enclosing said territory with a three strand wire fence along its Northwestern boundary, and for erecting suitable gates on all public roads leading across such fence, and the County Auditor shall duly assess and enter and the Treasurer shall duly collect said tax levy at the same time as other taxes are assessed and collected in said County, and the Treasurer shall hold such taxes subject to the draft of the County Commissioners for the said purposes ; that said territory or section to be so assessed for said tax upon petition as aforesaid is bounded as follows : Northwest by the public road leading from Toby's Bluff, on the Great Saltkehatchie River, to Varnville, on the Port Royal Railroad, and thence to Hickory Hill, and thence to Stafford, and thence to Robertville, and thence to Sisters' Ferry ; and bounded South by the Savannah River, North by the Great Saltkehatchie River, and East by the Charleston and Savannah Railroad ; and the said County Commissioners shall erect said three strand wire fence with substantial posts and said gates as soon as enabled so to do by the funds realized from said tax.

On petition of freeholders.

To levy tax.

To enclose with fence.

Assessment and collection of tax.

Area of exempted territory.

Kind of fence.

A. D. 1890.

Territory to
be exempt from
Stock Law in
part.

SEC. 2. That upon the completion of said fence and gates along the Northwestern boundary of said territory as aforesaid, the said territory shall be exempt from the operation of Chapter XXVII, Part I, Title X, of the General Statutes entitled General Stock Law and Fencing Stock, so far as the same relates to cattle, horses, mules and sheep, but there shall be no exemption therein from said General Stock Law as to hogs and other stock not hereinbefore enumerated.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 24th, A. D. 1890.

No. 597. AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF HORRY COUNTY TO SUBMIT TO THE QUALIFIED VOTERS OF CERTAIN TOWNSHIPS IN SAID COUNTY THE QUESTION OF THE ASSUMPTION BY SAID COUNTY OF THE INDEBTEDNESS OF CERTAIN TOWNSHIPS THEREIN ON ACCOUNT OF SUBSCRIPTIONS TO THE STOCK OF THE WILMINGTON, CHADBOURN AND CONWAY RAILROAD COMPANY.

Preamble.

19 Stat., 902.

Description of
bonds issued.

Whereas under an Act entitled "An Act to incorporate the Wilmington, Chadbourn and Conway Railroad Company," approved December 24th, A. D. 1885, an election was held in the following named townships in Horry County on the question of "Subscription" or "No Subscription" to the capital stock of said railroad company, on the 24th day of March, 1886, viz.: Bayboro, Conway, Green Sea, and Simpson Creek; and said election having resulted in favor of subscription, the County Commissioners, pursuant thereto, afterwards issued in behalf of the Township of Bayboro coupon bonds dated July 1st, 1886, running twenty years, to amount of six thousand seven hundred dollars, and in behalf of the Townships of Conway, Green Sea and Simpson Creek similar bonds of same date, to the amount of eighteen thousand five hundred dollars, four thousand dollars and eight thousand and five hundred dollars, respectively, as subscription to the capital stock of said railroad company, for which subscription the County Commissioners hold certificates of said stock in favor of said townships, respectively: *and*

whereas said company, aided as aforesaid, have fully built and equipped their road to the County seat, by which the whole County has been greatly benefited. Therefore,

A. D. 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Horry County be, and they are hereby, authorized and required to submit to the qualified electors of Horry County residing in the townships other than the townships herein mentioned the question of the assumption by said County of the indebtedness of the following named townships of said County which was incurred on account of the subscription by said townships to the capital stock of the Wilmington, Chadbourn and Conway Railroad Company, represented by coupon bonds issued therefor by said County Commissioners, bearing date July 1st, A. D. 1886, and running twenty years, that is to say, Bayboro Township for six thousand and seven hundred dollars, Conway Township for eighteen thousand five hundred dollars, Green Sea Township for four thousand dollars and Simpson Creek for eight thousand five hundred dollars; and the said County Commissioners are hereby authorized and required to order an election in all the townships of said County other than the aforesaid townships, specifying the time, place and purpose of the election, which shall not be later than the 15th day of April, A. D. 1891, and to appoint three Managers at each election precinct in the townships other than the above townships, who shall, without compensation, hold and conduct said election, at which election the ballots shall have written or printed thereon either the words "Assumption"—"Yes," or the words "Assumption"—"No"; and the said Board of County Commissioners shall give, by advertisement in the County newspaper once a week for at least three weeks immediately preceding such election, full notice of the time and purpose of the same, and the said Managers of Election shall within two days after said election make return thereof to the Board of County Commissioners, who shall at once tabulate said returns and declare the result.

Assumption by County to be submitted to electors.

Statement of indebtedness.

Election to be ordered.

Managers.

Form of ballots.

Notice to be given.

Declaration of result.

SEC. 2. That if said election shall be, and shall be declared in favor of the assumption of the said indebtedness by the said County, upon the surrender of the aforesaid bonds by the holders and owners thereof, the said County Commissioners shall issue and deliver to such holders and owners coupon bonds

County Commissioners to exchange bonds

A. D. 1890.	of the County of Horry for the amount of said indebtedness,
Description of bonds.	bearing date 1st July, A. D. 1891, to run fifteen years (to wit: the balance of the time the bonds so to be surrendered have to run), bearing interest, payable semi-annually on the 1st January and the 1st July of each year, at the rate of six per centum per annum, as authorized by said charter and its amendments,
How executed.	which bonds shall be executed by the Chairman of said Board of County Commissioners under the seal of said Board and attested by the Clerk of the Board, and shall show upon their
Declaration on face of bonds.	face the purpose for which they are issued, and shall recite that they are in lieu of the aforesaid township bonds; and upon the issuance and delivery of the last named County bonds the Chairman of said Board shall cause the certificates of stock of
Transfer of stock.	the aforesaid townships to be transferred on the books of the said railroad company to the County of Horry; and in all meetings or conventions of the stockholders of said company
Representation of stock.	the said stock of said County shall be represented by a Commission to be composed of five male resident real estate owners of said County, to be carefully selected and appointed by the Clerk of the Court of Common Pleas and General Sessions for said County, each Commissioner to represent one-fifth of the stock held by the said County at any such meeting.
Assessment and collection of tax.	SEC. 3. That in case said County bonds shall be issued as aforesaid, there shall be assessed against the property of said County, by the County Auditor, annually, and collected and paid over by the Treasurer according to the terms of said bonds
To pay interest and bonds.	and coupons, a sum sufficient to meet the interest thereon and also a sum or sums to discharge and pay the principal of said bonds, after the method and at the times as directed and required in the Act entitled "An Act to incorporate the Wilmington, Chadbourn and Conway Railroad Company," approved 24th December, A. D. 1885, and its amendments.
19 Stat., 202.	
Penalty for violations.	SEC. 4. That any violation of any of the provisions of this Act by any officer or officers named in the preceding Sections shall subject such officer or officers to the same penalties as are provided by law for violations of the general duties of such officer or officers. And the provisions of Section 13 of the last named "Act" as to special receipts to be delivered by the County Treasurer to each taxpayer, and as to each taxpayer becoming entitled to stock in said railroad company, shall continue of force and shall apply as to the bonds to be issued in lieu of the
Special provisions made applicable.	

township bonds, and the County Treasurer shall issue receipts to taxpayers as and on the terms in said Section 13 provided. A. D. 1890.

Approved December 24th, A. D. 1890.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE No. 598.
A MORE EFFICIENT SYSTEM OF WORKING THE PUBLIC
ROADS IN KERSHAW AND LANCASTER COUNTIES," AP-
PROVED DECEMBER TWENTY-FOURTH, 1888, AND ALL ACTS
AMENDATORY THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
an Act entitled "An Act to provide for a more efficient system
of working the public roads in Kershaw and Lancaster Coun-
ties," approved December 24th, 1888, and all Acts amendatory
thereof, be, and the same are hereby, repealed. A. A. 1888,
ante 187, re-
pealed.
See too ante
545, 546.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REDUCE No. 599.
THE NUMBER OF TRIAL JUSTICES IN KERSHAW COUNTY
AND MAKE THE OFFICE A SALARIED ONE," AND ALL
ACTS AMENDATORY THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
Section 2 of said Act as amended be further amended by strik-
ing out the word "two" on the second line thereof and sub-
stituting the word "one," and by striking out the word "Jus-
tices" on the seventh line and inserting "Justice;" so that
said Section as amended shall read : A. A. 1888,
19 Stat., 423,
amended.
See too *ibid.*,
1044.

SECTION 2. That the Trial Justices so appointed shall be com-
missioned by the Governor in the following manner : One for Number and
location.

- A. D. 1890.** the Town of Camden ; two for the Northern section, one to be located in the vicinity of Flat Rock, and one in the vicinity of Liberty Hill ; one for the Eastern section and one for the Western section of said County of Kershaw ; and the Trial Justice appointed for the Town of Camden shall keep his office in the said Town of Camden.
- Office in Camden.**
- Further amendments.** SEC. 2. That Section 3 of said Act be amended by striking out "two" on the fourth line thereof and substituting the word "Justice" for "Justices" on the fifth line, and by striking out the word "two" on said line and substituting the word "three," and striking out the word "each" on said line. So that said Section as amended shall read :
- Salary in lieu of fees in criminal cases.** SECTION 3. That instead of the fees heretofore allowed by law to Trial Justices for criminal proceedings, and heretofore payable to them by the County, each of said Trial Justices shall be allowed a salary as follows, that is to say : The Trial Justice for Camden shall receive two hundred dollars, and those for the Northern, Eastern and Western sections of the County forty dollars each, which salaries shall be payable quarterly out of the County funds of the County treasury, and no account or claim other than for such salary shall be preferred by, or allowed or paid to any Trial Justice of said County by the said County on account of criminal proceedings.
- Payable quarterly.**
- No other claim to be paid them.**
- Further amendments.** SEC. 3. That Section eight of said Act as amended be further amended by striking out the word "two" on the ninth line thereof and substituting the word "Justice" for "Justices" on said line ; by striking out the words "each" and "them" on the eleventh line and the word "them" on the twelfth line and inserting "him" in lieu thereof. So that said Section as amended shall read :
- Constables.** SECTION 8. That each Trial Justice appointed under the provisions of said Act shall be authorized to appoint and employ a person to act as Constable ; and the Trial Justices for the Northern, Eastern and Western sections of said County shall each receive from the said County, in addition to his salary, a sum of money not to exceed fifty dollars per annum, payable quarterly, to be used by him in compensating such person or persons as may be appointed and employed by him as Constable, if so much be necessary ; and the Trial Justice for the Town of Camden shall in like manner receive the sum of two hundred dollars (\$200) to be used by him in compensating such person or persons as may be employed by him as Constable, if so much be
- Compensation.**
- Constables for Camden.**

necessary ; and no person shall receive as compensation for his services as Constable any sum of money from the County or from any person for any service rendered by him in any criminal case under such appointment or employment, except as herein provided : *Provided*, That in criminal prosecutions cognizable by the Court of General Sessions, and when arrests in any case are made beyond the limits of the County, the Sheriff of the County may be authorized to serve process, and he shall receive therefor the same fees as are now or hereafter may be allowed by law for such services.

A. D. 1890.

No other pay in criminal cases.

Sheriff may serve certain process.

Fees.

Approved December 20th, A. D. 1890.

AN ACT TO ESTABLISH A NEW JUDICIAL DISTRICT IN THE VICINITY OF THE TOWN OF KERSHAW, AND EMBRACING PARTS OF KERSHAW AND LANCASTER COUNTIES, TO BE KNOWN AS THE KERSHAW JUDICIAL DISTRICT OF KERSHAW AND LANCASTER COUNTIES.

No. 600.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all the territory within the following area, to wit : Beginning at a point where the dividing line between the Counties of Kershaw and Lancaster crosses Lick Creek ; thence down said branch to Hanging Rock Creek ; thence down said creek to Little Lynches Creek ; thence up said creek to the Lancaster County line ; thence along said line to Lick Creek, the beginning point. And in Lancaster the boundary of said Judicial District shall be as follows : Beginning at a point on the line dividing the County of Kershaw from the County of Lancaster two (2) miles from the point where the Charleston, Cincinnati and Chicago Railroad crosses said line ; thence North four (4) miles ; thence in an Easterly direction running parallel with said County line four (4) miles ; thence South four (4) miles to the County line aforesaid ; thence in a Westerly direction along said County line four (4) miles to the beginning point, be, and the same is hereby, created and established as a Judicial District, to be known as the Kershaw Judicial District of Kershaw and Lancaster Counties.

Area of new Judicial District in Kershaw County.

In Lancaster County.

Creation and name.

- A. D. 1860.** **SEC. 2.** That as soon as practicable after the passage of this Act, it shall be the duty of the Governor, and he is hereby authorized and required, to appoint a Trial Justice for said Judicial District.
- Governor to appoint a Trial Justice.**
- Residence and office.** **SEC. 3.** That said Trial Justice so appointed shall be a resident of said Judicial District, and shall reside therein during his term of office, and shall hold his office within the corporate limits of the Town of Kershaw in said Judicial District.
- Constables and their pay.** **SEC. 4.** That the Trial Justice so appointed shall be authorized and empowered to appoint and employ a person to act as Constable, who shall receive such compensation as shall hereinafter be provided for, and the same shall be payable in the same manner as the salary of the Trial Justice.
- Salary to Trial Justice in lieu of costs.** **SEC. 5.** That said Trial Justice shall receive a salary for his services, which shall be in lieu of all costs and fees in criminal cases, which shall be payable as hereinafter provided.
- Amount of salaries.** **SEC. 6.** That said Trial Justice and the Constable to be appointed by him shall each receive an annual salary of fifty (\$50) dollars, which shall be payable at the end of each quarter, upon the warrant of the County Commissioners of the County of Lancaster.
- Fees to be paid over.** **SEC. 7.** That the said Trial Justice shall pay over to the County Treasurer of the County of Lancaster all the fees and costs received or collected by him in criminal cases.
- A. A. 1886, 19 Stat., 701, made applicable** **SEC. 8.** That the provision of an Act entitled "An Act to limit the number of Trial Justices in certain Counties in this State, to provide for fixing their territorial jurisdiction and for the manner and amount of their compensation," approved December 24th, A. D. 1886, so far as the same are not inconsistent with the provisions of this Act, shall apply to the said Judicial District herein created and the officers thereof, and said Judicial District and the officers thereof shall have all the rights, privileges and powers therein enumerated, and shall be subject to all the restrictions and liabilities imposed.
- Rights and liabilities.**

Approved December 24th, A. D. 1890.

No. 601. AN ACT TO INCORPORATE THE CITY OF CAMDEN, IN THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That from and after the passage of this Act, all persons who are citizens of this State, and who may have resided for sixty (60) days within the corporate limits of the City of Camden, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said city shall be called the City of Camden.

A. D. 1890.
Incorporation.

SEC. 2. That the corporate limits of the City of Camden shall be the same as the limits of the present Town of Camden.

Name.
Corporate limits

SEC. 3. That the municipal powers of the City of Camden shall be, and they are hereby, vested in a Mayor and four Aldermen of the City of Camden, and who shall be persons constitutionally qualified to vote for members of the General Assembly of this State, and who shall have resided within the corporate limits of the said city for sixty days preceding election to said office.

Mayor and Aldermen.

SEC. 4. That the election for the Mayor and Aldermen of said city shall be holden on the first Tuesday in April in every alternate year, ten days' notice being previously given, and the officers elected shall continue in office for two years and until the election and qualification of their successors; and all such persons within said city who shall have attained the age of twenty-one (21) years, and resided in the said city for sixty (60) days and in the State twelve (12) months immediately preceding the election, shall be entitled to vote for said Mayor and Aldermen. It shall be the duty of the Mayor and Aldermen of said city to require a registration of all voters of said city as a prerequisite to voting at any election for Mayor and Aldermen thereof, and for this purpose full power is hereby vested in the City Council of said city to prescribe the time, place, manner and terms of said registration of voters, by an ordinance for that purpose. That the said election shall be held in some convenient place in said city, from eight o'clock in the morning to six o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and declare the election, giving notice in writing to the persons elected. The Mayor and Aldermen for the time being shall appoint the Managers to conduct the election, who, before they open the polls for the said election, shall take an oath fairly and impartially to conduct the same; and the Mayor and Aldermen, before entering upon the duties of their offices, shall respectively take and subscribe the oath prescribed by the Constitution of this State, and the following oath, to wit: "As Mayor (or Al-

Election.
Time.
Term of office.

Electors.

Registration.

Hours of keeping open polls.

Declaration of result.

Duty of Managers.

Oath of Mayor and Aldermen.

A. D. 1890.

derman) of the City of Camden, I will equally and impartially, to the best of my ability, exercise the trust imposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected, so help me God." And if any person upon being elected Mayor or Alderman shall refuse to act as such, he shall forfeit and pay to said City Council the sum of twenty dollars for the use of said city: *Provided*, That this Act shall not be construed to apply to or affect the present Town Council, but that the present Intendant and Wardens of the Town of Camden shall hold their offices for the term to which they were elected: that is to say, until the first Tuesday in April, A. D. 1892, and until their successors shall be elected and qualified, as herein provided for.

Penalty for refusal to serve.

Present Council continued.

Deferred elections.

SEC. 5. If for any reason the election hereinbefore provided for shall fail to be held at the time appointed therefor, it shall be the duty of the Mayor and Aldermen of the said city to order an election to be held as soon as practicable thereafter, and they shall give notice by publication for two weeks in the said city of the time and place of said election.

Ordinances regulating elections.

SEC. 6. That said Mayor and Aldermen are empowered to pass all ordinances, rules and regulations for the fair and just management of said elections, and to prevent any fraudulent voting thereat, and to punish all offenses against the same by fine not exceeding twenty-five dollars or imprisonment not exceeding thirty days.

Quorum.

Vacancies.

SEC. 7. That the Mayor and two Aldermen, or, in the absence of the Mayor, three Aldermen, shall constitute a quorum for the transaction of business; and in case a vacancy shall occur in the office of Mayor or Alderman, by death, resignation, removal, or for any other cause, an election to fill such vacancy shall be held by appointment of the Mayor and Alderman, or Aldermen, as the case may be, which election shall be conducted in all respects and be subject to all the regulations hereinbefore provided for annual elections; and in case of sickness or temporary absence of the Mayor, the Aldermen shall be empowered to elect one of their number to act as Mayor for the time.

Mayor pro tem.

City Council and their powers.

SEC. 8. That the Mayor and Aldermen shall be known as the City Council of Camden, S. C., and they and their successors hereafter to be elected may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of law and equity in this State, and

purchase, hold, possess and enjoy to them and their successors, in perpetuity or for any term of years, any estate, real or personal or mixed, and sell, alien, convey and lease the same : *Provided*, The same shall not exceed at any one time the sum of fifty thousand dollars. And the said City Council shall have full power and authority to establish or authorize the establishment of a market house in the said city, and to prescribe suitable rules and regulations for the same ; and to establish or authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same ; and the said City Council shall have full power and authority, under their corporate seal, to make all such rules, by-laws and ordinances respecting the streets, roads, parks, drainage, market houses and the business thereof, buildings, trade and police system of said city, as shall appear to them necessary and proper for the security, welfare and convenience of the said city and for preserving health, peace, order and good government and morals within the same, and for the protection of life and property within the said city ; and the said City Council shall have full power and authority to abate and remove all nuisances in the said city.

A. D. 1890.

Property rights.

Limit.

Market.

Guard house.

Streets, drainage, buildings, police, &c.

Health, peace, &c.

Nuisances.

SEC. 9. That said City Council may fine and impose fines and penalties and imprisonment in the guard house, or common jail for Kershaw County, for violation of their ordinances, said fines, penalties and imprisonment to be imposed singly or in the alternative ; but no fine or penalty to exceed the sum of one hundred dollars, and no term of imprisonment to exceed thirty (30) days, and they shall appropriate all fines to the public use of the said corporation.

Punishments.

Limit.

Appropriation of fines.

SEC. 10. That the Mayor of the City of Camden is hereby vested with all the powers and authorities which are now, and shall hereafter be, vested in a Trial Justice or Justice of the Peace, under the laws of this State, as to criminal matters within the corporate limits of the said city, for violation of any of the ordinances of the said city or for any breach of the peace therein, and shall have full power and authority to hear and determine the charges made against all or every person or persons arrested and brought before him for a violation of any of the ordinances or any breach of the peace, and shall be empowered to punish any person or persons, if found guilty of such charges, by fine or imprisonment in the guard house or County jail, or by both

To have powers of Trial Justice.

Trial of offenders.

Punishments.

A. D. 1890.

Streets, bridges,
&c., to be kept
in repair.

fine and imprisonment, not exceeding the limits fixed in the preceding Section of this Act.

Street duty.

Penalty.

Compounding
for street duty.

Exemptions.

Opening, &c.,
of streets.

Damages to
land owners.

Fire limits.

SEC. 11. That the said City Council shall keep all roads, streets, ways and bridges within their corporate limits open and in good repair, and for that purpose they are vested with all the powers granted to County Commissioners; they shall have full power to classify and arrange the inhabitants of said city whom they may ordain liable to street, road or other public duty therein, and to force the performance of such duty under such penalties as are now or shall hereafter be prescribed by ordinances of the said city; and any persons, who shall be liable to road or street duty in the said city and shall refuse to perform the same without good excuse shall incur the same penalty now or hereafter prescribed by Statute for persons who fail, having no justifiable excuse, to work the public highways of the County of Kershaw, and enforceable in the same way. The said City Council shall have full power to compound with persons liable to perform such duty upon such terms and upon the payment of such sums of money as may be established by ordinance, the money so received to be applied to the public use of the said corporation. The individuals who compose the City Council shall be exempt from street and public duty, and the inhabitants of said city shall be exempt from road duty without the corporate limits of said city. And the said City Council shall have full authority to lay out and open new streets in the said city, and to clean up, widen or otherwise alter those now in use, or which may hereafter be established, whenever in their judgment the same may be necessary for the improvement or convenience of said city: *Provided*, That they shall first pay damages, should any be claimed, to the land or house owner or owners through or adjoining whose premises such streets may run, said damages to be fixed and determined in such manner as may be provided for by law.

SEC. 12. That the said City Council shall have the power to prevent the erection of any wooden or frame building within the following limits, to wit: Fronting or bordering on Broad street, between a point four hundred and seventy feet (470) North of York street, to the corner of DeKalb street on both sides of the said Broad street, and in a space of one hundred and fifty (150) feet in width on each side of the said Broad street; and the said City Council shall have power to make any ordinance to prevent such erection not inconsistent with the Constitution and laws of this State.

SEC. 13. That the said City Council shall have full power to grant or refuse licenses for retailing intoxicating liquors, subject to the laws of the State, and for billiard tables, auctioneers, itinerant trades, butchers, livery stables, drivers of public drays or vehicles, ten-pin alleys, or any other kind of game, exhibition or sport of skill or chance, within the limits of said city, and shall have full power to impose a tax on all shows or exhibitions for gain or reward within the limits of said city, and the City Council shall appropriate the revenues derived from the sources related in this Section to the public use of the said corporation, and shall have full power to regulate by ordinance the granting of the said licenses, and the imposition of the said taxes, and to prescribe penalties for the violation thereof.

A. D. 1890.

Liquor licenses.
Other licenses.

Tax on shows.

Application of
proceeds.

Regulations.

SEC. 14. That the said City Council shall have power and authority to require all persons owning lots, or a lot, in said city to make and keep in good repair sidewalks in front of said lot or lots, whenever the same shall front or adjoin any of the public streets of the said city, if in the judgment of said Council such sidewalks shall be necessary, the width thereof and the manner and material of their construction to be designated and regulated by the City Council. The said City Council shall have an estimate made of the necessary expenses of construction or repairing the said sidewalks, and shall notify the owner or owners of lot or lots of such estimate, and if said owners of such lot or lots shall fail or refuse to have said sidewalks constructed or repaired within thirty (30) days after notification from the City Council, the said City Council are authorized and empowered to have such sidewalks constructed or repaired, and to assess the expenses of such construction or repair against the owner of such lot or lots, the sum to be collected as any other tax or assessment levied by said city, and with like lien as such tax or assessment now has or may hereafter have by any Statute of the State or ordinance of said city: *Provided*, That any owner or owners of any lot or lots subject to such assessment for construction or repairs shall have the right, within ten (10) days after notification by the City Council of any assessment upon any lot or lots as above provided, to notify the City Council of his or her objection to the same, such notice to be given in writing, and to specify the objections; and if said objections cannot be satisfactorily adjusted between the said owner or owners of said lot or lots and the City Council within ten (10) days after service of such notice of objections,

Sidewalks.

Estimate of
cost of repairs.Assessment of
expenses.

How collected.

Notification by
lot owner of ob-
jections.

- A. D. 1890.** then an issue shall be formed to try such objections in the next ensuing term of the Court of Common Pleas for Kershaw County, in the same manner as actions at law are tried in said County, in which issue the party or parties objecting to the assessment shall be the actors, with the right of appeal to either party, as in actions at law. Should the judgment of the Court be in favor of the assessment made by the City Council, the Court shall then adjudge that the assessment made by the City Council for construction or repairs as above provided shall rank as a lien for taxes from the date of the assessment of the same.
- Issue to be framed and tried.**
- Right of appeal.**
- Lien of judgment.**
- Marshals and their powers.** SEC. 15. That the said City Council shall have power to elect or appoint one or more Marshals, who shall be duly sworn in and vested with all the power Constables now have, or shall be hereafter endowed with by Statute, and whose jurisdiction shall be confined to the corporate limits of said city, and who shall be liable to removal at the pleasure of said Council; and the Mayor and Aldermen, or any one or more of them, are hereby authorized to require the Marshal or Marshals of said city, or any special Constable appointed by said Mayor and Alderman, or Aldermen, for that purpose, to commit to the guard house of said city any person who, within the corporate limits of the said city, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said city, or any of them, there to remain until arraignment for trial before the Mayor of said city, which shall be speedily granted to the accused.
- Arrest and commitment.**
- Speedy trial to be had.**
- Arrest and trials.** SEC. 16. That the said City Council shall have full power to cause the arrest of any person or persons who shall be guilty of disorderly conduct in said city to the annoyance of the citizens thereof, and to punish such disorderly persons, upon trial and conviction before the Mayor of said city, by imposing a fine not exceeding one hundred dollars, and by imprisonment in the guard house or County jail for a term not exceeding thirty (30) days, or by sentence to labor on the streets of said city not exceeding thirty (30) days; that either one or two of the said sentences may be imposed at one and the same time, in the alternative. Any one so sentenced upon the streets of the said city shall have the privilege of commuting said sentence by paying therefor at the rate of fifty cents per day for each day embraced in said sentence. In case any fine is imposed and not paid, the said Mayor shall have power to issue execution and
- Limit to sentences.**
- Labor on streets.**
- Executions.**

collect the same by levy and sale of the property of the defaulter. It shall be the duty of the Marshal or police of said city to arrest all disorderly persons, and to call to his assistance the *posse comitatus* if necessary; and upon failure to perform said duty he shall be fined in a sum not exceeding twenty (20) dollars for each and every offense.

A. D. 1890.

Posse comitatus.

SEC. 17. That the said City Council shall have power to impose and collect in advance an annual tax upon the assessed real and personal property in said city; and said tax shall not exceed in any one year fifteen (15) mills, which valuation shall be ascertained from the taxpayers, under oath, by three assessors appointed by the City Council for that purpose, which assessors shall take an oath to value the said property, according to the best of their knowledge and understanding, faithfully and impartially, and their assessment so made shall be taken as the true value thereof, shall be entered in a book, signed by the assessor, and returned to the Clerk of the said City Council: *Provided*, The taxpayers shall have thirty (30) days from the return of the said assessment in which to complain thereof, upon the entering of which the City Council may, for good cause shown, lower an assessment. And the said City Council are hereby empowered to require all persons, companies and corporations now engaged, or who may hereafter be engaged, in any business, avocation, trade, or profession of any kind whatsoever, within the limits of the City of Camden, to take out a license from the said City Council, who are hereby authorized to issue the same and impose a reasonable charge or tax for the conduct of such business, trade, avocation or profession; and such license charges shall be payable in advance by the parties liable for the same, and on failure of payment their property shall be liable for the same as for any other taxes imposed by said City Council. And all persons, companies or corporations liable to taxation shall make payment of their taxes upon property, business, trade, avocation or profession to the Clerk or Treasurer of the said City Council, or to such other person as may be authorized to receive them; and the money so raised shall be applied to the public use of the said city. Upon failure to make such payment as required, the party or parties so in default shall be subject to the penalties and remedies provided, or which shall hereafter be provided, by law for the failure to pay the general State and County tax, to be enforced in like manner by the said City Council by execu-

Taxation.

Limit.

Assessors.

Assessment.

Complaints.

License tax.

Payable in advance.

Payment of taxes.

Application of taxes.

Penalty for defaults.

Execution.

A. D. 1890.

Lien for taxes.

Auctions.

Proviso as to
judicial sales.

Nuisances.

Board of Health

Refusal to serve

Penalty for
failure to abate
nuisance.Punishment
for interference
with Marshal,
&c.Report to suc-
cessors.Surrender of
money, books,
&c.

tion for the use of the said city, such execution to enforce the payment of such taxes to be issued under the seal of the corporation, signed by the Clerk, and directed to the Sheriff of Kershaw County, or to the Marshal of the said city, or other person appointed by the said Council to levy, collect and receive the same, with costs as in such cases made by law. And all property upon which such taxes shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to all other debts, except debts due to the State, which shall be first paid.

SEC. 18. That the said City Council shall have power to regulate sales at auction within the limits of said city and to grant licenses to auctioneers: *Provided*, Nothing herein shall extend to judicial sales.

SEC. 19. That said City Council shall have power to abate all nuisances within the corporate limits of said city, and also to appoint a Board of Health for said city, and to pass such ordinances as may be necessary to define the duties and powers of said Board of Health, and to impose a fine of not more than twenty-five dollars upon any person who shall refuse to serve upon said Board of Health; and it is expressly provided that upon the failure of any person in possession of land within the corporate limits of the city to cleanse the privies or water closets, or remove any other nuisance from the premises in his or her possession, or under his or her control, when so directed to do by either the City Council or the Board of Health, it shall be the duty of the said City Council to cause their Marshal, or other employees, to enter the premises in question, to abate said nuisance at the expense of the person in possession of said premises; and said City Council shall have power to provide by ordinance for the punishment of any and all persons who shall interfere with the Marshals in the discharge of the duties imposed on them in this ordinance, or who shall fail or refuse to pay the expenses of abating the nuisance, upon demand for the same by the City Council.

SEC. 20. That each City Council shall, within one month after the expiration of their term of office, make out and return to their successors in office a full account of their receipts and expenditures during their term, which account shall be published in one paper in the said city; and shall pay all money in their possession belonging to the corporation, and deliver up all books, records and papers incident to their offices, as well as all

property of every description to the said city belonging, to their successors in office; and on failure to do so, they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the said City Council.

A. D. 1890.
Penalty.

SEC. 21. All ordinances, rules and regulations which are now in force in said Town of Camden, and all contracts and all acts done by the said town, shall continue and be of force to the same extent, tenor and effect as now exists, and nothing herein shall be deemed or taken in any way to impair any such rules, regulations, ordinances and contracts of the said Town of Camden.

Ordinances,
contracts, &c.,
continued.

SEC. 22. That the said City Council shall have the power at any time to divide the City of Camden into two or more wards, and to prescribe the manner of electing Aldermen from said wards, as representatives of said wards in the City Council.

Wards..

SEC. 23. That all Acts or parts of Acts relating to the incorporation of the Town of Camden inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Repealing
clause.

SEC. 24. That this Act shall be deemed a public Act.

Public Act.

Approved December 24th, A. D. 1890.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW No. 602.
SCHOOL DISTRICT IN KERSHAW COUNTY, AND TO AUTHOR-
IZE THE ISSUE OF BONDS BY SAID SCHOOL DISTRICT AND
THE LEVY OF A LOCAL TAX THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining public schools in the City of Camden, the County Board of Examiners for Kershaw County be, and they are hereby, authorized and required to establish a separate School District, to embrace the City of Camden. The new School District so established shall be known as the School District of the City of Camden.

School District
of Camden es-
tablished.

SEC. 2. That three members, appointed by the County Board of Examiners, in accordance with the General School Law for the appointment of Trustees and their successors, shall constitute a Board of Trustees for the said School District.

Board of Trus-
tees.

<p>A. D. 1890.</p> <p>Incorporation. Rights and liabilities. 16 Stat., 571.</p>	<p>SEC. 3. That the said School District shall be a body politic and corporate, with such government, rights, privileges and liabilities as are provided for School Districts by the School Law of South Carolina, approved March 22nd, 1878, and its amendments, except as modified by this Act.</p>
<p>Duties and powers of Board</p>	<p>SEC. 4. That the said Board of Trustees, in addition to the duties and powers prescribed by law for Trustees of School Districts, shall have the power, and it shall be their duty, to determine the studies and class books to be used in the schools of said District; to elect and dismiss the teachers; to fix their salaries; to prescribe their duties, and to make rules for the government of the schools, and to take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the District herein created.</p>
<p>Books.</p>	
<p>Teachers.</p>	
<p>School property.</p>	
<p>Officers,</p>	<p>SEC. 5. The said Board of Trustees shall elect from its members a Chairman and also a Secretary and Treasurer; the Chairman shall call meetings of the Board whenever in his judgment a meeting is needed, or whenever a majority of the Board shall unite in requesting him to do so.</p>
<p>Meetings.</p>	
<p>Special school tax.</p>	<p>SEC. 6. The said Trustees are hereby authorized and empowered to levy on all real and personal property returned for taxation in said School District a local tax not exceeding three mills on the dollar in any one year to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The Board of Trustees shall, on or before the 1st day of January, 1891, and on or before the same day in each</p>
<p>Limit.</p>	
<p>Meeting of taxpayers.</p>	<p>succeeding year, call a meeting of the legal voters living in above named School District and returning real and personal</p>
<p>Notice to be given.</p>	<p>property therein; public notice of said meetings, specifying the time, place and object, shall be given at least ten (10) days before said meeting by posting the same in three conspicuous</p>
<p>Powers of the meeting.</p>	<p>places in the said School District and publishing the same at least twice in one of the newspapers having the largest circulation in said School District. The persons answering the above</p>
<p>Tax not to be repealed.</p>	<p>designations, when thus assembled, shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied, not to exceed three</p>
<p>Notification, assessment and collection.</p>	<p>mills on the dollar; no tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman, within one week thereafter, shall notify the County Auditor of Kershaw County of the amount of the tax thus levied, and the</p>
	<p>County Auditor shall at once assess such tax on all real and per-</p>

sonal property returned in said School District, and the County Treasurer of said County shall collect said tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

A. D. 1880.

SEC. 7. The County Treasurer of the County of Kershaw shall hold all moneys arising from the school tax and poll tax to which said District may be entitled under the general provisions of law, or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of said District, and said moneys shall be protected by the official bond of said Treasurer of Kershaw County, and shall be paid out only on the warrant of said Treasurer of the Board of Trustees.

Disbursement
of school funds.

SEC. 8. That the said School District is hereby permitted and authorized to issue ten thousand dollars of 7 per cent. bonds, or a less number, if so much, in their judgment, be not necessary for the purpose of erecting and furnishing suitable school buildings in said School District: *Provided*, That a majority of the qualified voters of said School District shall be in favor of such issue, as expressed in an election held for that purpose.

Bonds for
school building.

If approved by
electors.

SEC. 9. That the Trustees of said School District are hereby required, upon the written request of twenty freeholders within said School District, to order an election on the question of issuing said bonds, and to give three weeks' notice by advertisement in one or more newspapers of such election, and they shall appoint the Managers, receive the returns and declare the result of such election.

Election on
question of issuing
bonds.

SEC. 10. The said School District, in addition to the powers hereinbefore provided for, shall have, and is hereby endowed with, the power of a corporation to issue the said bonds, and when issued they shall be signed by the Chairman of the Board of Trustees for said School District, shall run for a period of ten years, their coupons shall be receivable for all taxes in said School District, and they shall constitute a first lien upon all property which may be improved from their proceeds.

Power to issue
bonds.

Description.

Coupons re-
ceivable for
taxes.

SEC. 11. That for the purpose of paying the interest on said bonds and the principal when due, it shall be the duty of the County Auditor of the County of Kershaw, or such other officer as may be charged with the assessment of taxes, to compute annually the amount necessary to be raised, and to levy the same upon all the real and personal property in said School District, and the amount so levied shall be collected by the County Treasurer of the County of Kershaw, and held and used by them

Tax to pay
bonds and cou-
pons.

Application of
proceeds.

A. D. 1890.

Taxpayer to
return location
of property.

for the purpose of paying the said interest or principal, if any be due, and shall be used for no other purpose whatsoever.

Amended re-
turns.

To be entered
separately on
duplicate.

Free tuition.

Terms for non-
residents and
higher branches

Repealing
clause.

SEC. 12. It shall be the duty of each and every taxpayer whose property may be partly within and partly without said School District, when he makes his return for State and County taxes, to plainly and separately specify in such returns under oath the position or positions of such property, whether real or personal, subject to taxation within said District; and in case such taxpayer shall have made his or her return before such School District is laid off, it shall be his or her duty to make another or amended return in accordance herewith; and it shall be the duty of the County Auditor to enter the tax belonging to said School District upon the tax duplicate in a separate column, so that the County Treasurer may conveniently keep the same separated from the other taxes.

SEC. 13. There shall be furnished in said schools instruction, free of charge, to all children residing within the bounds of said School District, in the course of study prescribed for the public schools of the State, and the Board of Trustees may furnish in said schools instruction to non-resident children, and in branches of study not embraced in said course of study on such terms as they may determine.

SEC. 14. That this Act shall take effect on the day of its approval, and that all Acts and parts of Acts inconsistent therewith are hereby repealed.

Approved December 24th, A. D. 1890.

No. 603. A JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF LANCASTER COUNTY TO USE AN UNEXPENDED BALANCE OF TWO THOUSAND TWO HUNDRED AND THIRTY-FIVE AND 22-100 DOLLARS, NOW OR HEREAFTER IN THE HANDS OF THE TREASURER, FOR ORDINARY COUNTY PURPOSES.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lancaster County be, and they

Appropriation
of unexpended
balances.

are hereby, authorized and empowered to apply an unexpended balance of two thousand two hundred and thirty-five and 22-100 dollars, now in the hands of the County Treasurer, and arising from the railroad tax and dividends paid to said County on stock of the Cheraw and Chester Railroad Company, to the payment of the ordinary expenses of said County. And they are also hereby authorized and empowered in like manner to use any balance of the railroad tax of said County for the fiscal year ending October 31st, A. D. 1890, that may remain in the hands of the County Treasurer of said County after the payment of interest on the bonds issued in behalf of the Cheraw and Chester Railroad Company which becomes due on said bonds on the 1st day of February, A. D. 1891. And the County Treasurer of Lancaster County is hereby authorized and directed to pay out said unexpended balances upon the warrant of the said County Commissioners.

A. D. 1890.

Appropriation
of other bal-
ances.

County Treas-
urer to pay.

Approved December 20th, A. D. 1890.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF YORK AND LANCASTER COUNTIES, RESPECTIVELY, UPON CERTAIN CONDITIONS, TO PURCHASE CERTAIN TOWNSHIP BONDS FOR THE BENEFIT OF THE TOWNSHIPS INTERESTED, AND HYPOTHECATE THE SAME AS COLLATERAL SECURITY FOR THE FUNDS NECESSARY TO PERFECT THE PURCHASE. No. 604.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of County Commissioners of York and Lancaster Counties, respectively, are hereby authorized and empowered at any time during the next twelve months, and after the withdrawal of the appeals to the Supreme Court of the United States involving the question of the validity of the bonds hereinafter referred to, in case said appeal shall be withdrawn, to contract for and purchase any of the township bonds of their respective Counties issued in aid of the Charleston, Cincinnati and Chicago Railroad, the said purchase or purchases to be for

County Com-
missioners of
York and Lan-
caster.

Authorized to
buy bonds for
use of town-
ships.

A. D. 1890. the benefit of the respective townships by which said bonds were issued.

Loans to pay
for bonds.

SEC. 2. That in order to raise the necessary funds to make said purchase or purchases, the said County Commissioners are hereby authorized and empowered, upon the same conditions imposed above, to borrow money in the name of said townships, respectively, for any period of time that will fall short of the respective dates of the maturity of said bonds, and to pledge the said bonds of such townships, respectively, as collateral security for such loan or loans: *Provided*, That the sum or sums borrowed shall not exceed seventy-five per cent. of the face value of the bonds so pledged.

Limit.

Township
bonds further
validated.

SEC. 3. That in the event the purchases and pledges shall be made by the County Commissioners under the authority of this Act, then the question of the validity of said bonds shall be deemed forever settled, and no one shall ever be permitted to question their validity as against the holders thereof, claiming title through said pledge or pledges and generally through the provisions of this Act.

Approved December 24th, A. D. 1890.

No. 605. AN ACT TO INCORPORATE THE TOWN OF HEATH SPRINGS, IN LANCASTER COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided sixty days in the Town of Heath Springs shall be deemed, and are hereby declared, a body politic and corporate, and the said town shall be called and known by the name of Heath Springs, and its corporate limits shall extend one-half mile North, East, South and West from the Baptist Church, so that said town shall be one mile square.

Name and
limits.

Rights and
limitations.

SEC. 2. That the said Town of Heath Springs shall have all the rights, powers and privileges, and be subject to all the provisions and limitations, enumerated and contained in an Act entitled "An Act to provide for and regulate the incorporation

of towns of less than one thousand inhabitants in this State," approved December 23d, 1885.

A. D. 1890.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force for thirty years, or until amended or repealed.

19 Stat., 174.
Public Act.
Duration.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF PLEASANT HILL, LANCASTER COUNTY. No. 606.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States and of this State who now are, or hereafter may be, residents of this State for one year and of the Town of Pleasant Hill, in Lancaster County, for sixty days, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known and called by the name of Pleasant Hill, and the corporate limits of said town shall be as follows: By drawing lines six hundred and twenty yards North and South from the intersection of Pleasant Hill and York streets and one-fourth of a mile East and West from the same point, and then by drawing lines at right angles to and at the termini of the lines so drawn.

Incorporation.

Name and
corporate limits

SEC. 2. That said town shall be vested with all the rights, powers and privileges, and be subject to all the limitations and provisions, contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Rights and
limitations.

19 Stat., 174.

SEC. 3. That the Town Council of said town shall not have the right to impose an annual tax upon the real and personal property of the citizens of said town exceeding fifteen cents upon each hundred dollars.

Taxation.

SEC. 4. That this Act shall be deemed a public Act, shall go into effect immediately after its approval, and shall continue of force for a period of thirty years.

Public Act.
Duration.

Approved December 24th, A. D. 1890.

NOTE.—For Act establishing a Trial Justice's district in and around the Town of Kershaw, embracing a part of Lancaster County, see Act No. 600, ante p. 893.

A. D. 1890.
 No. 607. AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF LAURENS COUNTY TO ISSUE COUPON BONDS FOR THE PURPOSE OF REFUNDING THE INDEBTEDNESS OF SAID COUNTY, FALLING DUE DECEMBER FIRST, 1890, UPON BONDS ISSUED IN AID OF THE GREENVILLE AND LAURENS RAILROAD COMPANY, OR TO BORROW MONEY TO PAY OFF THE SAME.

Purpose of re-
 issue. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of refunding the indebtedness of the County of Laurens upon bonds issued in aid of the Greenville and Laurens Railroad Company, which bonds fall due the first day of December, 1890, the Board of County Commissioners of the County of Laurens be, and they are hereby, authorized and empowered to
 Bonds author-
 ized. issue coupon bonds to an amount not exceeding the amount of said bonds falling due the first day of December, 1890, now out-
 Description of
 bonds. standing, said bonds to bear interest at a rate not exceeding seven per cent. per annum, payable annually on the first day of December of each and every year, to bear date from the first day of December, 1890, and to be made payable thirty years from the date of the same.

Loan author-
 ized. SEC. 2. That should the Board of County Commissioners of Laurens County deem it advisable and to the interest of the said County to borrow money and pay off said indebtedness, or any part of it, and not issue bonds as aforesaid, that then they be, and are hereby, authorized and empowered to borrow such sum
 Obligations to
 secure loan. or sums of money as may be necessary for that purpose, and to execute the obligations of the County therefor.

Approved December 24th, A. D. 1890.

No. 608. AN ACT TO ABOLISH THE OFFICE OF MASTER IN LAURENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That the office of Master for the County of Laurens be, and the same is hereby, abolished. A. D. 1890.
Office abolished.

SEC. 2. That the present Master do turn over to the Clerk of the Court for Laurens County all moneys, bonds and mortgages and other evidences of indebtedness made payable to the Master of said County, who is hereby authorized to receive the same, and who shall be liable on his official bond for the same. Moneys and securities to be turned over to Clerk.

SEC. 3. That the said Clerk of the Court of Laurens County be, and he is hereby, authorized and empowered to collect and sue on, in his official character as Clerk of the Court of Common Pleas for said County, all bonds, mortgages and other evidences of indebtedness so turned over to him by said Master, and to pay out the same according to the orders and decrees heretofore made, or hereafter to be made, in the different cases on which they were taken: *Provided*, That nothing herein shall be construed to prevent any Circuit Judge before whom any cause shall come from referring the same to a Special Referee to hear and determine the same and report to the Court: *Provided*, That nothing herein contained shall prevent the Master from hearing all causes now referred to him and reporting his findings thereon to the Circuit Court, or from receiving the fees now allowed for such services. Clerk to sue and collect.

And to pay out moneys.

Referees.

Pending references.

Approved December 24th, A. D. 1890.

AN ACT TO PROVIDE THE AMOUNT OF SALARY OF TRIAL No. 609.
JUSTICE AND CONSTABLE AT CLINTON, IN THE COUNTY
OF LAURENS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trial Justice at Clinton, in the County of Laurens, shall hereafter receive a salary from the County, in lieu of all fees and costs in criminal cases, in the sum of one hundred dollars, to be paid in the same manner as other Trial Justices in said County are now paid. Salary in lieu of costs.

Amount and payment.

SEC. 2. That the person appointed by the said Trial Justice at Clinton in said County to act as a Constable under existing Compensation of Constable.

A. D. 1890. laws shall receive the same amount as the said Trial Justice, and shall not receive any costs or fees for services as such Constable in criminal cases.

Approved December 24th, A. D. 1890.

No. 610. AN ACT TO INCORPORATE THE TOWN OF CLINTON.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** from and after the passage of this Act all persons who are citizens of this State and who may have resided for sixty days in the Town of Clinton shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be
- Name and limits.** called the Town of Clinton, and its limits shall be deemed and held to extend one mile in every direction from the Richmond and Danville depot.
- Intendant and Wardens.** **SEC. 2.** That the municipal powers of the Town of Clinton shall be, and they are hereby, vested in an Intendant and four Wardens, who shall be denominated the Intendant and Wardens of the Town of Clinton.
- Who eligible.** **SEC. 3.** That the Intendant and Wardens of said town shall be persons who are Constitutionally qualified to vote for members of the General Assembly of this State, and who shall have resided within the corporate limits of the said town for twelve months preceding election to such office.
- First election.** **SEC. 4.** That the next election for Intendant and Wardens shall be holden on the second Monday of January, 1891, and that first regular election thereafter shall be holden on the fourth Thursday of October, 1891, and that one election for
- Subsequent elections.** said Intendant and Wardens shall be holden on the same day of each alternate year thereafter, and that the Intendant and Wardens so elected shall go into office on the fourth Tuesday in November thereafter, except the Intendant and Wardens elected on second Monday of January, 1891, who shall go into office on the Monday following said election. That all officials now in
- Term of office.** office or hereafter to be elected shall hold office until their successors are elected and qualified. At all elections for Intendant

and Wardens of said town, all persons who have for sixty days previous to the day of said election been residents within the corporate limits of said town and who are duly qualified under the Constitution and the laws of the State to vote for members of the General Assembly shall be entitled to vote: *Provided, however,* That it shall be the duty of the Intendant and Wardens of said town to require a registration of all the voters of said town as a prerequisite to voting at any election for Intendant and Wardens thereof; and for this purpose full power is hereby vested in the Intendant and Wardens of said town to prescribe the time, place, manner and terms of said registration of voters by an ordinance for that purpose.

A. D. 1890.

Electors.

Registration.

SEC. 5. If for any reason the election hereinbefore provided for shall fail to be held at the time appointed therefor, it shall be the duty of the Intendant and Wardens of the said town to order an election to be held as soon as practicable thereafter, and they shall give notice, by publication for fifteen days in the said town, of the time and place of such election. The persons who shall be chosen at such election shall qualify and enter upon the duties of the offices to which they have been elected on the Monday following such election.

Deferred elections.

When to qualify.

SEC. 6. That the Intendant and Wardens of said town shall have authority to try any person for voting without legal authority so to vote, at any election for Intendant and Wardens, or any of them, and to impose a punishment therefor upon any person convicted by them, a fine not exceeding twenty-five dollars, or imprisonment for not more than thirty days, at the discretion of the Council.

Trial and punishment for illegal voting.

SEC. 7. That the election of Intendant and Wardens shall be holden at some convenient place in said town, from eight o'clock in the morning till five o'clock in the afternoon, when the polls shall be closed and the Managers of Election shall forthwith count the votes, make returns thereof in writing to the Town Council, who shall declare the election and give notice thereof to the persons who shall have been elected. The Intendant and Wardens for the time being shall give fifteen days' notice by public advertisement thereof of the time and place of holding said election, and shall appoint three citizens of said town as Managers of said election; and said Managers of Election, before they shall open the polls, shall take an oath, before some one qualified to administer oaths in this State, that they will fairly and impartially conduct said election; and any citizen

Hours and place of election

Declaration of result.

Notice of election.

Oath of Managers.

- A. D. 1890.** who has been appointed a Manager of Election and shall fail or refuse to serve shall be subject to a fine of not more than ten dollars, to be imposed by the Intendant and Wardens of said town; and the Intendant and Wardens of said town are empowered to pass all ordinances, rules and regulations for the fair and just management of said election, and to punish all offenses against the same by fine not exceeding twenty-five dollars or imprisonment not exceeding thirty days.
- Penalty for refusing to serve.**
- Regulating the election.**
- Oath of Intendant and Wardens.** SEC. 8. That the Intendant and Wardens who are elected as above directed shall, before they enter upon the duties of their respective offices, take the oath prescribed by the Constitution of this State, and in addition thereto take the following oath: As Intendant (or Warden, as the case may be,) of the Town of Clinton, I will equally and impartially, to the best of my skill and judgment, exercise and discharge the trust reposed in me, and will endeavor to carry into effect the purposes for which I have been elected—so help me God.
- Refusal to serve.** SEC. 9. That any person who has been elected to the office of Intendant or Warden and shall refuse to serve shall pay the sum of twenty-five dollars for the use of said town: *Provided, however,* That if the person so elected and refusing to serve be over the age of sixty years, or has served as Intendant or Warden at any time within the period of two years next preceding his election and refusing to serve, he shall be excused.
- Exceptions.**
- Quorum of Council.** SEC. 10. That the Intendant and two of the Wardens, or in the absence of the Intendant a majority of the Wardens, shall constitute a quorum for the transaction of business; and in case of a vacancy shall occur in the office of Intendant or Warden, by death, resignation, removal, or for any other cause, an election to fill such vacancy shall be held by appointment of the quorum necessary for the transaction of business, which election shall be conducted in all respects and be subject to all the restrictions and regulations hereinbefore provided for regular election; and in case of sickness or temporary absence of the Intendant, a majority of the Wardens shall be empowered to elect one of their number to act as Intendant for the time; but this shall not prevent the Intendant from naming a Warden to act as Intendant until a regular meeting of the Council, at which regular meeting the election of a Warden to act as Intendant for the time being shall be held.
- Vacancies.**
- Intendant pro tem.**
- Council meetings.** SEC. 11. That the Intendant and Wardens shall meet as often as they may it necessary for the transaction of business. They

shall provide and keep a common seal, which shall be affixed to all their ordinances, by-laws, rules, regulations and licenses, and the said Intendant and Wardens shall be empowered to elect a Clerk and Treasurer, who shall be one and the same person, and shall give bond in the sum of twenty-five hundred dollars (\$2,500.00) to secure all funds passing through his hands, said funds to be deposited in any bank or banks, to be designated by Council, and, when necessary, to be drawn out by warrant of said Clerk and Treasurer, countersigned by the Intendant. The compensation of said Clerk and Treasurer shall be fixed by the said Council. And the said Intendant and Wardens shall be further empowered to employ one or more Marshals, night watchmen, street overseers, and to establish the compensation to be paid to said officers elected by them; also, to fix the compensation to be paid to the Intendant of said town, which compensation shall in no event exceed one hundred dollars, and to prescribe the duties of said officers, and to take bond from said officers conditioned to secure the discharge of the duties pertaining to their respective offices: *Provided, however*, That all officers elected by the Intendant and Wardens shall be subject to removal from office at their pleasure. The Marshals so elected shall be sworn and take the oath of office prescribed by the law for Constables.

SEC. 12. That the said Intendant, or acting Intendant, shall be vested with jurisdiction in all cases for violation of the ordinances of the said town, when the punishment prescribed does not exceed a fine of one hundred dollars, or imprisonment for more than thirty days, or both, at his discretion: *Provided*, That the accused shall have the right of appeal to the full Board of Council or to the Court of General Sessions; and the Intendant or acting Intendant of said town shall hold a Court whenever necessary to dispose of such cases as may be ready for trial or other consideration.

SEC. 13. That the said Intendant and Wardens shall have control over all streets, ways, pavements, sidewalks, bridges, public squares and public buildings within the corporate limits and belonging to said town, and shall be clothed with full power to protect life, liberty and property, both public and private, within the corporate limits of said town. And to effectuate these grave trusts, the said Intendant and Wardens are authorized to pass such ordinances, not inconsistent with the laws of the State, as in their judgment may be necessary, and to affix

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Seal.

Clerk and
Treasurer.Bond of Treas-
urer.
Deposit of
funds.

Compensation.

Marshals, &c.

Compensation.

Bonds.

Proviso.

Oath.

Jurisdiction of
violations of
ordinances.Right of ap-
peal.Municipal
Court.Streets,
bridges, &c.Life, liberty
and property.May pass ordi-
nances.

- A. D. 1890. in said ordinances to a violation thereof a fine not exceeding one hundred dollars, or imprisonment for not more than thirty days, or both, with full and complete authority to the Intendant of said town to try and punish all offenses against the ordinances of said town without calling together the Wardens of said town unless he deems it advisable, subject to the provisions of Section 12 of this Act. That the said Intendant and Wardens shall be charged with the duty of keeping all streets, ways, sidewalks, pavements, bridges, sewers and streams and drains within the corporate limits of said town open and in good order, and they are authorized and empowered to open new ones, and to accomplish this duty they are clothed with all the powers County Commissioners have over roads, but with the limitation that such powers shall only be exercised by them within the corporate limits of said town.
- Penalties authorized.** Trial of offenders. Streets, drains, &c., to be kept open. New streets. Road duty. Commutation tax. Penalties. Proviso. Taxation. Limit. Exceptions. Valuation. Assessors. Oath of assessors.
- SEC. 14. That all persons by law liable to road duty and who reside within the corporate limits of said town shall be subject to the control of the said Intendant and Wardens, who shall be empowered to fix the terms of commutation for persons liable to road duty, and the money received for commutation, as aforesaid, shall be applied by them to the use of the said town; and all persons failing to work upon the streets and ways of said town, when thereunto required, or who shall fail to pay the sum fixed for a commutation for said work, shall be fined not more than five dollars, or imprisonment for not more than ten days, for each and every offense: *Provided, however,* That any inhabitant of said town liable to do labor on the public roads and who resides within the corporate limits of said town shall not be liable to road duty except in the corporate limits of said town.
- SEC. 15. That the said Intendant and Wardens shall have the power and authority to impose taxes each year for the use of said town; that is to say, not exceeding fifty cents on each one hundred dollars' worth of real and personal property being in the limits of said town, except the property of churches, charitable associations and institutions of learning. The value of such real and personal property for the purpose of taxation shall be fixed and assessed as hereinafter provided.
- SEC. 16. That the said Intendant and Wardens shall annually appoint three citizens of said town to assess the value of real estate for taxation, and said assessors, before entering upon their work, shall take an oath to fairly and impartially assess each

parcel of real estate in said town ; and a report in writing of the assessment as made by them shall be signed by said assessors and the same filed in the office of the Clerk of said town within the period of ten days next ensuing upon the date of their appointment to assess the real estate of said town. That the assessors will not be required to give a complete description of each parcel of real estate assessed ; the name of the owner, the quantity of real estate, more or less, shall be all that is required of the assessors, unless they think it advisable to give a more complete description. That the said assessors shall receive a compensation for their labor, to be fixed by the Intendant and Wardens of said town ; and any person who has been appointed to assess the said real estate and shall refuse to perform the duties incident to said appointment shall be fined by the said Intendant and Wardens not more than twenty-five dollars ; and that the report of the assessment of real property for taxation shall remain in the office of the Clerk of said town for inspection of land owners for twenty days next after the filing thereof. And it shall be in the power of the Intendant and Wardens, for cause shown, to reduce such assessment, if complaint against the same shall be made to them within twenty days next after filing the assessment for taxation ; but after the expiration of said twenty days such assessment for taxation shall be final.

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Report of assessment.

Nature of report.

Compensation.

Refusal to serve

Inspection of report.

Complaints.

Returns of personal property.

Assessment of Council.

Summons to taxpayer to account.

SEC. 17. That the Intendant and Wardens of said town shall publish a notice to all the inhabitants of the same for two successive weeks, requiring every owner of personal property within the corporate limits of said town thereof to make a fair and just return, on oath, before the Clerk of said town, within a time fixed in said published notice, of said personal property for taxation ; and upon the failure of any person who is the owner or is the agent of the owner of any personal property within the limits of said town to make such return thereof for taxation, it shall be the duty of said Intendant and Wardens to assess such personal property for taxation, and their said assessment shall be final. But it is expressly provided that in case the Intendant and Wardens of said town are dissatisfied with the return of personal property made by the owners or agents of the owners of said personal property for taxation, they shall have the power to compel such property owner or agent of the owner to come before them and fairly account for the personal property of such owner or agent ; and if any one disobeys the summons of said Intendant and Wardens to come before them and account for his

A. D. 1890.	or her personal property, then and in such case the said Intendant and Wardens may fine the said person so refusing a sum not exceeding twenty-five dollars for such refusal, and the said Intendant and Wardens shall be allowed to assess the personal property of the person who shall refuse to attend before them as aforesaid for taxation, in their best judgment.
Penalty for refusing.	
Executions to collect taxes, fines, &c.	<p>SEC. 18. That the said Intendant and Wardens, for the purpose of collecting the taxes upon the real and personal property within the corporate limits of said town, and also to collect such fines as they may have imposed, when the said taxes and said fines have not been paid by the persons against whom the said taxes have been assessed, or against whom the said fines may have been passed, shall have the power and authority to issue an execution against the property, both real and personal, of the person who had failed to pay his or her taxes, or who has failed to pay the fine imposed, directed to the Sheriff of Laurens County, requiring him to sell the property, real and personal, or both, as the case may be, of the person described in said execution, to pay the amount fixed in said execution to be due; and that the said execution herein provided for shall conform as near as may be to that now issued out of the Courts of Common Pleas in the State against the property, and such execution shall be signed by the Intendant, or acting Intendant, as the case may be, and attested by the common seal of said town; and the Sheriff, before making any sale of real or personal property under said execution, shall advertise a notice of the said sales as required by law, describing the property therein; and after the Sheriff shall have sold the property, he shall, after deducting the costs and expenses incident to such sale, forthwith turn over from the proceeds of such sales an amount equal to the tax or fine specified as due in the execution to the Clerk of said town upon his receipt therefor, turning the surplus, if there be any, to the defendant in execution; and the purchaser at the sale of said Sheriff shall receive a deed in case of the sale of land, and a bill of sale in case of personalty, from the said Sheriff, and the same shall in law operate to convey the absolute estate of the delinquent taxpayers or of the person upon whom a fine may have been imposed and payment neglected or refused.</p>
Sheriff to execute.	
Form of executions.	
Advertisement of sales.	
Disbursement of proceeds.	
Rights acquired by purchaser.	
Property rights.	<p>SEC. 19. That the said Intendant and Wardens shall have power and authority to hold real estate and personal property for the said town, not to exceed in value in the aggregate the sum of twenty thousand dollars; and at the end of each fiscal</p>
Limit.	

year it shall be the duty of the said Intendant and Wardens to cause to be published a detailed statement of their receipts and expenditures of money for said town, giving a brief summary of the real and personal property on hand and the probable value thereof.

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Annual report.

SEC. 20. That the said Intendant and Wardens shall publish for at least two weeks in each year the method of taxation adopted by them, and laying down the rate of taxation in such notice and prescribing the time when the same shall be payable, which time of payment the said Intendant and Wardens may for good cause extend, provided the extension shall be general.

Notice of time and rate.

Extension of time.

SEC. 21. That the said Intendants and Wardens shall have the power and authority to license butchers, auctioneers, itinerant salesmen and common carriers, other than railroads, and by ordinances to regulate the conduct of those receiving such license, or any of them, and to punish every offense against such ordinances by a fine of not more than one hundred dollars, or imprisonment of not more than thirty days, or both.

Licenses.

Penalties.

SEC. 22. That the said Intendant and Wardens shall lay a tax upon all carriages, barouches, omnibuses, drays, carts and wagons used for hire or public employment within the said corporate limits, and shall require the owners of all dogs to pay an annual license fee of one dollar for each dog: *Provided*, That in any one year no tax on such carriage, barouche, omnibus, dray, cart or wagon used for hire shall exceed ten dollars.

Tax on carriages, &c.

Dogs.

Proviso.

SEC. 23. That the said Intendant and Wardens, or any of them, shall be empowered to require the presence of any person as a witness while such person may be within the limits of Laurens County: *Provided*, They jointly or severally cause a written or printed notice of the time and place when said witnesses shall attend, such written or printed notice to be signed by the Clerk of said town and issued under the common seal of said town; and that the said Intendant and Wardens shall, either jointly or severally, cause a written or printed notice to be served upon any person who is to be brought before them, or any of them, for trial for any violation of any ordinance of the town, stating the offense, time and place of trial; and said notice shall be served by either one of the Marshals of the said town or the Sheriff of Laurens County, and shall be signed by the Clerk and issued under the seal of said town: *Provided*, however, That this shall not prevent the arrest of any person within the corporate limits who has or is committing a breach

Power to summon witnesses.

Notice to be given.

Notice to persons accused.

Service.

Arrest on sight.

A. D. 1890.

Power to arrest persons refusing to appear

of the peace, an offense against public decency or acting in a disorderly manner: *And provided, further,* That if the witnesses or the person charged with a violation of any ordinance of the town on whom said notice is served does not appear at the time and place therein stated, a warrant may be issued by the Clerk of the corporation under seal, and the Marshal or Sheriff of said County shall have power and authority to arrest such person wherever found and bring said person before the Intendant or acting Intendant of said town; and the Intendant or acting Intendant in case of a witness shall have power to impose a fine of not more than twenty-five dollars, or a term of imprisonment not to exceed ten days, unless such witness render a satisfactory reason for neglect or refusing to obey the order or summons.

Fines on witnesses.

Guard house.

Arrest and commitment.

SEC. 24. That the Intendant and Wardens are authorized to have and provide a guard house, or town prison, and to make suitable regulations for its government; and any Marshal of said town is authorized to arrest and commit to the custody of the keeper of the guard house or common jail of the County of Laurens for a period of not more than forty-eight hours any person or persons who shall be guilty within the corporate limits of said town of a breach of the peace, of public drunkenness, or of open indecency, or of any other disorderly conduct injurious to the peace, safety and good order of society, or of any ordinance of the said town; and the said Intendant and Wardens, or any of them, or the said Marshals, whenever in the discharge of the duties of their offices, respectively, it shall become necessary to arrest any person or persons violating the law, shall have authority to call to their assistance the *posse comitatus* of said town, and whoever, after being called to the aid of such officer of the law, and shall neglect or refuse to render the aid required, shall be subject, on conviction thereof before the Intendant of said town, to a fine of not more than twenty-five dollars, or imprisonment for not more than thirty days, at his discretion.

Posse comitatus.

Penalty for refusing to serve.

Nuisances.

Board of Health

SEC. 25. That the said Intendant and Wardens have power to abate nuisances within the corporate limits of said town, and also to appoint a Board of Health for said town, and to pass such ordinances as may be necessary to define the power and duties of said Board, and to impose a fine of not more than ten dollars upon any person who shall refuse to serve upon said Board. And it is expressly provided herein, that upon the

failure of any person in the possession of land within the corporate limits of said town to cleanse the privies or water closets, or remove any other nuisance from the premises in his possession or under his control, when so directed to do by either the Intendant or Wardens or the Board of Health, it shall be the duty of said Intendant and Wardens to cause their Marshal or other employees to enter the premises in question and abate the said nuisance at the expense of the person in possession of said premises; and if any person shall interfere with the Marshals or other employees of said town, he shall be adjudged, upon proof to convict, guilty of a misdemeanor, for which he may be tried before the said Intendant, and sentenced to pay a fine of not more than one hundred dollars, or be imprisoned for not more than thirty days; and if the person in possession of said premises when the expense of cleansing the same shall be demanded of him shall refuse to pay the same, he shall be adjudged guilty of the violation of the town ordinances, and may be tried before said Intendant, and upon conviction may be adjudged to pay a fine of not more than fifty dollars, or imprisoned for not more than thirty days.

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Abatement of nuisances.

Interference with Marshal.

Punishment.

Penalty for refusing to pay for cleaning.

SEC. 26. That from and after the passage of this Act, no person or persons whomsoever shall be allowed to either distill or sell, or offer for sale, any fermented or spirituous liquor, except for medicinal purposes, within the corporate limits of the Town of Clinton, in the County of Laurens, or within two miles thereof, and the same is hereby expressly prohibited.

Sale of liquors prohibited.

SEC. 27. That the Intendant and Wardens of the Town of Clinton shall have the right, and it is hereby made their duty, to impose a license fee upon all drug stores and apothecary shops that sell alcoholic or distilled spirits or bitters of any kind in the said town of which intoxicating spirits is one of the principal ingredients, which license fee shall not exceed one hundred dollars: *Provided*, That such druggist or apothecary shall enter into a bond of five (5) hundred dollars, with two good and responsible sureties, to pay into the said Council the said sum of money if the said druggist or apothecary shall sell or expose for sale any alcoholic or spirituous liquors on any other than the prescription of a regular practicing physician, which prescription shall set forth the name and nature of the disease of the patient and the dose required to be so administered: *Provided, further*, That said prescription shall be kept on file by said druggist or apothecary, subject to inspection by

License tax on drug stores.

Limit.

Bond of druggist.

Form of prescription.

To be kept on file and open to inspection.

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Violations of
this Act a mis-
demeanor.Revocation of
druggist's
license.Informers to
get one-half of
the fines.Loans for in-
ternal improve-
ment.Description of
bonds.

Limit.

To be approv-
ed by electors.When election
to be ordered.Bonds not to
be sold below
par.Proviso as to
bonds hereto-
fore issued.Rights and
powers of form-
er town trans-
mitted.Elections of
Intendant and
Aldermen.

the Intendant and Wardens, or either of them, or the Town Marshal, at any time they may deem proper.

SEC. 28. That any violation of this Act shall be deemed a misdemeanor and a violation of the law of the State of South Carolina; and that the Town Council of the said town shall have power to revoke the license of any druggist or apothecary that does not comply strictly with the provisions of this Act, besides all the remedies provided for the violation of the license law, before any Court having competent jurisdiction; and when any person or persons is convicted of retailing spirituous or malt liquor within the corporate limits of the said town, or within two miles thereof, before any Court of competent jurisdiction, one-half of the fines so imposed shall go to the informant, and the remainder shall go to said town.

SEC. 29. That the said Intendant and Wardens, for the purpose of internal improvement, may borrow money, issue bonds or script therefor, bearing not a greater interest than seven per centum, payable at times as they may think advisable, and payable out of the taxes and incomes of said town: *Provided*, Said principal of bonds and script shall at no time exceed fifteen thousand dollars: *Provided, further*, And no debt by bond or script shall be made but such as a majority of the qualified voters of said town may authorize the said Council to issue at an election ordered and held for that purpose under direction of said Council, notice of which shall be given thirty days previously thereto; and the said Council shall have power to order such election only upon the written application of a majority of the real estate owners in said town, owning one-half in value thereof, praying that such election may be ordered and held, and specifying the amount of the debt to be made, the time it is to run, the form in which it shall be issued, and the purpose to which the money shall be applied, and that no bond shall be sold for less than its par value: *Provided, further, however*, That nothing herein contained shall in any manner affect the bonds heretofore issued in aid of the Georgia and Carolina and Northern Railroad.

SEC. 30. That all the rights, privileges, powers and authority herein vested in and granted to an Intendant and four Wardens for the said town are hereby invested in the present Intendant and four Wardens of the said town, who shall, from after the passage of this Act, be called the Intendant and Wardens, and to any person elected to fill a vacancy in their number until their

successors in office have been elected and qualified, at which time, and at all future elections, an Intendant and four Wardens shall be elected for said town as hereinbefore provided for, and the present Town Council are liable to all the duties and obligations imposed by this Act.

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SEC. 31. That from and after the passage of this Act the said municipal authorities, in addition to the punishment herein provided, shall, within their discretion, impose the further punishment of hard labor, and all convicts so sentenced to hard labor shall be required to perform hard labor upon the streets or other public works within the limits of the said town, under the direction and control of the said municipal authorities.

Labor on streets as punishment.

SEC. 32. That this Act shall be deemed and taken as a public Act, and due notice thereof shall be taken in all the Courts of justice and elsewhere in the State. That all Acts heretofore passed relative to the incorporation of the said town, and amendments thereto, be, and the same are hereby, repealed, and this Act continue of force for thirty years or until repeal.

Public Act.

Repealing clause.

Duration.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF CROSS HILL, IN No. 611.
LAURENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the Town of Cross Hill shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Cross Hill, and the limits shall extend one mile in every direction from the depot of the Georgia, Carolina and Northern Railroad Company, so the limits shall form a circle.

Incorporation.

Name and limits.

SEC. 2. That said Town of Cross Hill shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns

Rights and limitations.

A. D. 1880.	of less than one thousand inhabitants in this State," approved December 23rd, A. D. 1885.
19 Stat., 174. Public Act.	SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.
Duration.	SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the Town of Cross Hill, in the County of Laurens.
Licenses to sell liquor prohibited.	SEC. 5. This Act shall take effect immediately on its approval.
When to take effect.	Approved December 24th, A. D. 1890.

No. 612. AN ACT TO INCORPORATE THE TOWN OF HIGH POINT, IN LAURENS COUNTY.

Incorporation.	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the Town of High Point, in Laurens County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name
Name and limits.	of "High Point," and the limits shall extend one-half a mile in every direction from the depot of the Port Royal and Western Carolina Railroad, so that the limits shall form a circle.
Rights and limitations.	SEC. 2. Said Town of High Point shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of
19 Stat., 174.	less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.
Public Act.	SEC. 3. That this Act shall be deemed a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.
Duration.	SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors
License to sell liquor prohibited.	

form an ingredient, shall be granted by the municipal authorities of the Town of High Point, in the County of Laurens.

A. D. 1890.

SEC. 5. This Act shall take effect immediately on its approval.

When to take effect.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE CITY OF LAURENS.

No. 613.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State having resided twelve months within the State and six months within the corporate limits of the City of Laurens shall be deemed, and are hereby declared, a body politic and corporate; and the said incorporation shall be called and known by the name of "The City of Laurens," and its corporate limits shall include all of the area embraced in a circle whose centre is the court house and whose radius is one mile and a quarter.

Incorporation.

Name and corporate limits.

SEC. 2. That the said city shall be governed by a Mayor and six Aldermen, who shall be citizens of the United States, and who shall be persons that actually reside within the corporate limits of the said city, and have so resided twelve months immediately preceding the day of their election. The said Mayor and Aldermen shall be known and called the "City Council of Laurens," and shall be elected on the second Tuesday in March, 1891, and at the same time in every second year thereafter, and shall hold their office for the term of two years, and until their successors shall have been elected and qualified. The Mayor and any three Aldermen, or any four Aldermen, shall constitute a quorum for the purpose of transacting the business of the corporation, or exercising the powers herein granted to the said City Council or the said Mayor and Aldermen.

Mayor and Aldermen.

Eligibility.

City Council of Laurens.

Time of election.

Term.

Quorum.

SEC. 3. All male inhabitants of the said city who have resided within the corporate limits thereof for six months next preceding any election for members, or a member, of the said City Council, and who are qualified to vote in the State elections, shall be entitled to vote in such elections: *Provided*, That no person shall be entitled to vote at any such elections

Electors.

Registration.

A. D. 1890.

who shall not have registered his name with the Clerk of the City Council, to be entered by him in a book or books, to be kept by him for that purpose, before twelve o'clock, meridian, on the tenth day next preceding every such election, and obtained a certificate of such registration from the said Clerk, which certificate shall be presented to the Managers when he offers to vote, and taken up by them. The Mayor and Aldermen of the said city shall give at least twenty days' notice, by advertisement in one or more newspapers published therein, of the time and place of such election; and the same notice shall also name the hours and place of such registration. The book or books of registration shall be securely kept by the Clerk of said City Council and turned over to the Managers on the day of election: *Provided*, That the said book or books shall be subject to public inspection, and any person shall be permitted to make copies therefrom when the said Clerk is not actually engaged in the registration of a voter.

Notice of election.

Books of registration.

Open to inspection.

Place and hours of election.

Managers and their oath.

Return by Managers.

Publication and declaration of result.

SEC. 4. The election shall be held at some convenient public place in said city, from nine o'clock in the forenoon to five o'clock in the afternoon, and shall be conducted by three Managers appointed as aforesaid, who shall be sworn by the Mayor or an Alderman, or if there be no such person, then by the Clerk of the Circuit Court for Laurens County, fairly and impartially to conduct such election and make a true return of the result thereof. When the polls are closed the Managers shall forthwith proceed to count the votes and make a statement of the whole number of votes cast in such election, together with the whole number cast for each person voted for as Mayor and Alderman, and shall transmit a certificate of the same in a sealed envelope, with the certificates of registration taken up by them in such election, to the Mayor of said city, and if there be no Mayor, then to the Clerk of the Circuit Court for Laurens County; and the said Mayor or Clerk of Court shall, immediately upon the receipt of the report of Managers, open and publish the same, by announcing the whole number of votes cast in the election and the number for each person voted for as Mayor and Alderman; he shall thereupon declare the person receiving the highest number of votes for Mayor duly elected to that office, and the persons receiving the highest number of votes for Alderman, in number equal to the number of Aldermen to be chosen, duly elected to said offices. And such Mayor and Aldermen, before entering upon the duties of the respect-

ive offices, shall take the oath of office prescribed by the Constitution of this State and the oath against dueling, and in addition thereto the following oath, to wit: "As Mayor (or Alderman) of the City of Laurens, I will faithfully and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect according to law the purposes for which I have been elected. So help me God." And in case any person is elected to the office of Mayor or Alderman and refuses to serve, he shall be fined the sum of twenty-five dollars. If for any reason the election hereinbefore provided for shall fail to be held at the time appointed therefor, it shall be the duty of the said City Council to order an election to be held as soon as practicable thereafter, and they shall give the same notice and the election shall be governed in the same way as herein provided for regular elections. The persons who shall be chosen at such elections or at the regular election shall go into office on the Monday following such election. And in case any person shall vote at such elections who is not entitled to vote, the said Council may try him for such offense and punish him in such way as may be provided by them in any ordinance which they may pass in reference thereto.

A. D. 1890.

Oath of office.

Fine for refusing to serve.

Deferred elections.

Illegal voting.

SEC. 5. In case a vacancy occurs in the office of Mayor or any of the Aldermen by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of the Mayor and Aldermen; and in case there be no Mayor and no Aldermen, then by the appointment of the Clerk of the Circuit Court for the County of Laurens, twenty days' notice thereof and a registration of voters to be had, as provided in Section three hereof. Whenever the Mayor of said city shall from any cause be temporarily unable to attend to the duties of his office, the City Council shall have power to elect one of their number of Aldermen to serve as Mayor during such temporary disability, and during the time he is so acting such Alderman so designated shall be vested with all the powers, duties and responsibilities attaching to the office of Mayor of the said city.

Vacancies.

Mayor pro tem.

SEC. 6. That the said Mayor or the City Council, or both of them, are hereby vested with all the powers and jurisdiction for the violation of city ordinances as is now given a Trial Justice, except in civil cases. The said Mayor shall have power to try all offenders against the ordinances of the said city immediately upon their apprehension or arrest, or as soon thereafter as possible, unless such persons enter into a good and sufficient bond, to be

To have jurisdiction of Trial Justices.

Trial of offenders.

- A. D. 1890.** approved by the Mayor, or in his absence by the Clerk of the City Council, to appear for trial five days after his arrest, in which event the trial shall be deferred until that time. Whenever the Mayor shall find a party tried before him guilty of violating an ordinance of said city, he shall have power to impose, in his discretion, fine or imprisonment, or both, within the limits prescribed for such violation. From all decisions of the said Mayor any party feeling himself aggrieved shall have
- Punishment.** the right to appeal to the City Council, provided he give written notice of such appeal immediately upon such sentence being pronounced, and enter into a bond to appear and defend before the City Council at a time to be specified in such undertaking, not less than five nor more than ten days after the date of such undertaking. In all cases tried before the Mayor or the City Council the party shall have the right to demand that he be served with a summons, in which shall be stated with accuracy the nature of the charge and the time and place of its alleged commission; but in case such summons is not demanded before trial, the party charged shall be deemed to have waived such right. And the said Mayor or Council may require the attendance of witnesses in trials before them in such way as witnesses are made to attend in the Court of General Sessions.
- Right of appeal.** **SEC. 7.** In any case tried under the foregoing Section, upon appeal to the full Council, the Mayor and three Aldermen, or, in the absence or inability of the Mayor to serve, any four Aldermen, shall be sufficient to proceed with the trial of such cause on appeal, and a decision of a majority of those present shall determine all questions before the said Council, except the questions of fact involved, in which the Mayor who tried the case shall have no vote, but shall be determined by a majority of the Aldermen trying the case: *Provided*, That in case of a tie vote of the Aldermen on the facts involved, the Mayor shall have the casting vote, and the decision of the majority as thus ascertained shall determine the case.
- Party to be served with charge if demanded.**
- Witnesses.**
- Trial on appeal.**
- Casting vote of Mayor.**
- Council meetings.** **SEC. 8.** The Mayor shall have authority to summon the Council to meet for the transaction of business pertaining to the corporation whenever in his judgment it may be necessary; they and their successors hereafter to be elected shall have and keep a common seal, which shall be affixed to all ordinances passed by them; they may sue and be sued, plead and be impleaded, in any Court of law or equity in this State, and may purchase, hold, possess and enjoy, for the trusts herein contained,
- Seal.**
- Sue and be sued.**
- Property rights.**

to them and their successors, in perpetuity or for term of years, any estate, real, personal or mixed, and sell, alien and convey the same at will : *Provided*, That the same does not at any one time exceed in value the sum of fifty thousand dollars. And the said City Council shall have full power to make, ordain and establish all such rules, by-laws, regulations or ordinances respecting the roads, streets, markets, police and health and order of said city as shall appear to them necessary and requisite for the security, welfare and convenience of the said city, or for preserving the health, peace, order and good government within the same. And the said City Council may fix and impose fines and penalties for the violation of the same, not to exceed the sum of one hundred dollars, or imprisonment for thirty days, or both, and appropriate all revenues arising therefrom to the uses of the said corporation : *Provided*, Such ordinances, rules, regulations or by-laws be not contrary to the laws of this State.

A. D. 1890.

Limit.

Streets, police,
markets, health,
&c.Fines and
penalties.

Proviso.

SEC. 9. The said Mayor and Aldermen shall have the power and right to buy, operate and run an electric plant and water works for the purpose of furnishing light and water to the said city and the inhabitants thereof, the same as an individual would have : *Provided*, That all profits derived from the sale of lights or water furnished to individuals shall go into the treasury of the said city and be used as all other revenues.

Electric plant
and water
works.

Use of profits.

SEC. 10. The said Mayor may sentence persons convicted of the violation of any of the ordinances of the said city to fine or imprisonment, or both, as may be provided ; and any person sentenced to imprisonment, directly or in consequence of failure to pay the fine imposed, shall during their term of imprisonment be required to work upon the streets of the said city, unless they be expressly exempted therefrom in the sentence pronounced by the said Mayor.

Sentences.

Labor on
streets.

SEC. 11. The Mayor and Aldermen of said city shall have full and only power to grant or refuse license to retail spirituous liquors within said limits, which licenses shall be granted in the same manner and upon like conditions as they now are or may hereafter be, under the laws of this State, except that the said City Council shall not grant such licenses for retail at less than seven hundred dollars per annum, the said sum to be paid quarterly in advance, and no such license shall be granted for a longer time than one year.

Liquor licenses.

License fee.

A. D. 1890.

Control of streets.

Changes.

Sale of freehold.

Opening and repair of streets

Consent or condemnation.

Sidewalks.

Powers over streets, &c.

Compounding for work.

Who liable.

License tax on business.

SEC. 12. The Mayor and Aldermen shall have full and exclusive control over all streets, roads and ways in the said city, and it shall be their duty to keep them open and in good repair. They shall have power, with the consent of the adjacent land owners, to close or change all such roads, streets or ways within said city as they may deem conducive to the public convenience, and may sell the freehold of any such street, road or way as they may close either at public or private sale, as they may deem best. And they shall have power to lay out, adopt, open and keep in repair all such new ways, roads, streets as they may deem necessary for the improvement and convenience of the said city: *Provided*, That they first obtain the consent of the land owners through whose land the same shall run, or, if their consent cannot be obtained, that the said street or way be opened in the same way as provided by law for the opening of public roads by County Commissioners. The said City Council shall have the power to require all persons owning a lot or lots in said city to make and keep in good repair sidewalks in front of said lot or lots whenever the same shall front on or adjoin any public street in said city, if, in the judgment of said Council, such sidewalks shall be necessary, the width thereof and the manner of their construction to be designated and regulated by the said City Council; and in default or refusal to make and keep in repair such sidewalks, the said City Council may cause the same to be made and put in repair, and require the owner to pay the cost of making or repairing the same, and the said City Council are hereby empowered to sue and recover for the same in any Court of competent jurisdiction in this State. And the said City Council shall have all the powers over the streets, roads or ways therein which are now given or may hereafter be given to County Commissioners over the roads in their several Counties, subject, nevertheless, to the limitations herein prescribed. And they shall have power to compound with all persons liable to work the streets, roads and ways in said city upon such terms as they shall by ordinance establish, the moneys so received to be applied to the uses of the said corporation: *Provided*, That all male persons residing within the corporate limits of said city between the ages of sixteen and fifty years shall be liable to road duty.

SEC. 13. That the said City Council be, and they are hereby, authorized annually to require the payment of such reasonable sum or sums of money as a license by any person or persons or

corporation, foreign or domestic, engaged in or intending to engage in any calling, business or profession or occupation, in whole or in part either foreign or domestic, within the limits of the City of Laurens, except those engaged in the calling or profession of teachers or ministers of the Gospel; that the said City Council is hereby authorized to pass such ordinances as are necessary to carry fully into effect the purposes of this Section, and to provide for the punishment of all delinquents thereunder. And the said City Council shall have power to impose an annual tax on all real estate lying within the corporate limits of the said city, and on personal property owned and held within the same, not to exceed fifty cents on every one hundred dollars' worth of property, including bonds and stocks of banks and insurance companies and other corporations, the real estate of churches and school associations exempted, and for that purpose they shall appoint three freeholders residing therein to assess the value of the real estate, upon oath, and to return the assessment within one month to said City Council for taxation; and the said City Council shall have the power to fill any vacancy arising from any cause on the said Board of Assessors. The City Council shall have power to regulate the price of licenses upon all public shows and exhibitions in said city: *Provided*, That no license for any circus shall be granted for a less sum of money than one hundred dollars by the said City Council; to erect a powder magazine, and to compel every person holding more than fifty pounds of powder at one time to store the same therein, and to make regulations for rates of storage therein. They shall have power to organize, equip and control a fire department for the protection of such city in such a way as they may deem best. And the said City Council shall have power to enforce the payment of all taxes and assessments levied under the authority of this Act, against the property and the persons of defaulters, to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that the execution to enforce the payment of city taxes shall be issued under the seal of the said corporation, and directed to the Chief of Police, or other persons specially appointed by the said City Council to collect the same, and all property upon which a tax shall be levied and assessed shall be liable for the payment thereof in preference to all other debts due by the person owning the same at the time of assessment, except the debts due to the State, which shall be first paid;

A. D. 1890.

Exceptions.

Ordinances.

Taxation.

Limit.

Exemptions.

Assessment of
real estate.

Licenses on
shows.

Powder maga-
zine.

Fire depart-
ment.

Enforcement
of taxes.

Executions.

Lien for taxes.

A. D. 1890.

For what
period of time.

Money to be
paid into treas-
ury.

Returns for
taxation.

Provision in
case of failure.

Neglect of
Clerk not to ex-
cuse taxpayer.

Returns of
personal prop-
erty in January.

Taxes to be
paid in March.

Penalties.

Tax on dogs.

Policemen.

such preferences shall exist during the year in which such tax is payable, and for two years thereafter, and after the lapse of said two years shall not exist to the prejudice of liens-existing on such property at the date of the levy of such tax. The said moneys, together with all other moneys collected by the said City Council under the provisions of this charter, shall be paid into the treasury of the said city for the use of the corporation.

SEC. 14. In the assessment of all property in said city, it shall be the duty of the Clerk of the City Council to deliver to or leave at the residence or place of business of each person within the corporate limits a printed form or statement of return for taxation, with a proper form of oath attached thereto, and shall, at the time he delivers such forms, receive from such person the statement of his property for taxation required by this Act, verified by the oath of such person; but if he be not ready to deliver such statement, he shall make up and deliver the same to the said Clerk within twenty days after the leaving of such form of statement, and in case of failure to do so he shall be returned and assessed by the said Clerk accordingly. If the Clerk of the City Council fails to deliver such printed form or statement at the place of business or residence of any person in said city as is herein provided, such person shall not be excused from the making of such return, but he shall have ten days after the close of the time for the making of said returns in which to file the same with the Clerk. Returns shall be made on oath to the said Clerk during the month of January in each year of the amount of all sales of merchandise, professional, mechanical or other incomes, and of the quantity and kind of all property other than real subject to taxation under the provisions of this Act, by the persons who may be liable to pay the taxes on the same; and the said taxes shall be paid on or before the first day of March then next ensuing. Upon failure thereof, any party in default shall be subject to the penalties now provided by law for failure to pay the general State tax. That the said City Council shall have the right to levy a special tax upon all dogs kept within the corporate limits of the said city, not to exceed the sum of one dollar and twenty-five cents per head, and said tax shall be levied and collected in the same way as is provided herein for the collection of other taxes.

SEC. 15. That the said City Council shall have power, and are hereby authorized, to elect one Chief of Police and as many as-

sistants as may be necessary, to fix their salaries and prescribe their duties. They shall be sworn in and vested with all the powers now conferred by law upon Constables, and subject to all the duties and liabilities that are now or may hereafter be conferred upon Constables, in addition to the special duties devolved upon them by the City Council: *Provided*, That their jurisdiction shall not extend beyond the limits of the said corporation. And the said City Council shall have the power to elect a City Clerk, whose duties shall be prescribed by them, and they shall also fix his salary, and require him to enter into a bond, to be approved by them, conditioned upon the faithful performance of the duties of his office. Said bond not to be for a less amount than five thousand dollars.

A. D. 1890.

Their powers,
liabilities, &c.

Limits of jurisdiction.

Clerk.

Salary and
bond.

SEC. 16. The said City Council shall have the power to establish a guard house, and prescribe by ordinances suitable rules and regulations for governing the same; and the said City Council may by ordinance, or the Mayor and Aldermen, in person, any one or more of them, authorize and require any policeman of the said city to arrest and commit to said guard house for a time not exceeding twenty-four hours before trial any person or persons who, within the said corporate limits, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said city or any of them; and it shall be the duty of the policemen of said city to arrest and commit all of such offenders when required by said ordinances, or any member of the City Council, so to do, and they shall have power to call to their assistance the *posse comitatus*, if need be, in making such arrest; and upon failure of such policemen to perform their duty as required, they shall severally be liable to such fines and penalties as said City Council may establish, and all persons so imprisoned shall pay the costs and expenses incident to such imprisonment: *Provided*, That the imprisonment provided for in this Section shall not exempt the party so imprisoned from trial and sentence as hereinbefore provided.

Guard house.

Arrest and
commitment.

Duty of police.

Posse comi-
tatus.

Proviso.

SEC. 17. That the said City Council shall have power to collect licenses or taxes from all persons representing publicly, within their corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purposes of the said corporation.

Plays or shows.

A. D. 1890.

Nuisances.
Board of Health

SEC. 18. The said City Council shall have power and authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said city, and to pass all such ordinances as may be necessary to define the powers and duties of the said Board.

Loans and
bonds.

SEC. 19. That the said City Council shall have power to borrow money for the public uses of the corporation by issuing, from time to time, as occasion may require, the bonds of said corporation, bearing interest, at a rate not exceeding seven per cent. per annum, to be paid semi-annually, for an amount not to exceed twenty-five thousand dollars, and for the payment of the interest and the ultimate redemption of the principal according to the terms of the loan the said corporation shall be at

To be repaid
by taxation.

all times liable : *Provided*, That the property of the inhabitants of said city shall be bound for the redemption of the said loan in no other way than by the imposition of the annual tax ac-

If authorized
by vote of citi-
zens.

According to the provisions of this Act : *And provided, further*, That a majority of the owners of real estate within the corporate limits of said city shall petition the City Council to order an election for the purpose of ascertaining if a majority of the qualified voters of said city desire the said bonds issued ; and in said petition shall be stated what it is desired to issue said bonds for, and the amount for which said bonds are to be issued : *And*

Election on
debt question.

provided, further, That in pursuance of said petition the said City Council do order an election, to be governed as all other elections provided for in this charter are governed, and that at said election a majority of the qualified voters of said city do vote in favor of issuing the said bonds.

Salary of
Mayor.

SEC. 20. That the Mayor of the said city shall receive as a salary the sum of two hundred and fifty dollars. He and the

Exemptions of
Council.

Aldermen shall each be exempt from street duty during their term of office ; and each City Council shall within thirty days after the expiration of their term of office, make out and return to

Report to suc-
cessors.

their successors a full account of their receipts and expenditures during the term of office for which they were elected ; and they

Publication of
report.

shall likewise publish at the end of each year after the beginning of their term of office a full statement of their receipts and expenditures during the preceding year. And at the expiration of the term of office of any City Council it shall be their

Surrender of
moneys, records,
&c., to their suc-
cessors.

duty to pay over to their successors any moneys in their hands at the time of making such return belonging to said corporation, and likewise to deliver up promptly, at the end of their

term, all books, records, property and papers incident to their said offices to their successors. A. D. 1890.

SEC. 21. That all fines which shall hereafter be collected by conviction in the Court of Sessions for Laurens County for retailing spirituous liquors without license within the limits of said city shall be paid one-half to the informer and the other half to the city for the use of the corporation. Half fines to the informer.

SEC. 22. This Act shall go into effect immediately upon its passage, and all ordinances heretofore passed by the Town Council of Laurens under existing laws be, and they are hereby, declared to be of full force and effect in the said City of Laurens; and until the election of Mayor and Aldermen herein provided for the Town Council of Laurens be, and they are hereby declared to be, the City Council of Laurens, and the Intendant vested with all duties and powers of Mayor of the said city, and the said Wardens are vested with all the powers and duties of Aldermen of the said city. And the said city is hereby declared to be liable for all contracts and obligations of the Town of Laurens. When to take effect.

SEC. 23. The corporate limits of the City of Laurens shall be a separate and distinct township for all purposes whatever. Validation of ordinance.

SEC. 24. All Acts or parts of Acts inconsistent with this Act be, and they are hereby, repealed; and this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of twenty-five years, and until the end of the session of the Legislature next ensuing. Present Council continued in office.

Approved December 24th, A. D. 1890.

Liability for past contracts.

City made a township.

Repealing clause.

Public Act.

Duration.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN LAURENS COUNTY AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN." No. 614.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to provide for the establishment of a new School District in Laurens County (1) and to

A. A. 1887,
19 Stat., 103,
amended.

(1) This School District embraces the Town of Laurens.—EDITOR.

A. D. 1890. authorize the levy and collection of a school tax therein " be amended so as to read as follows :

Special school tax. SECTION 3. That in addition to the rights and privileges hereinbefore granted, the said School District shall have power to levy on all real and personal property returned in said District a tax not exceeding four mills on the dollar, subject to the following provisions : The School Trustees of said District shall at any time previous to the thirtieth day of June of each year, upon the written request of twenty property holders, issue a call for a public meeting (after two weeks' notice) of all those citizens who return real or personal property in said District, and such notice shall be published in at least one newspaper, and posted in two public places in said District, for at least two weeks before such meeting, and shall specify the time and place and object of said meeting.

Meeting of taxpayers.

Publication of notice.

Section 6 amended. SEC. 2. That Section 6 of said Act be amended so as to read as follows :

Disbursement of school funds.

Liability of Treasurer.

Moneys of 1890-91 to be used for school buildings.

Additional Section.

Rights of non-resident taxpayers.

Change in numbering.

SECTION 6. That the money collected from said tax levy and the Constitutional poll and two mills tax to which the said District is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said School District, countersigned by the County School Commissioners ; and said Treasurer shall be liable to the said School District for the non-performance of his duty in respect to said money in the same manner and to the same extent and under like penalties as for non-performance of his duties in reference to State and County taxes : *Provided*, That the School Commissioner of said County and the Trustees of said School District be, and they are hereby, authorized to apply for the fiscal year commencing November 1st, 1890, so much of said money, as may be necessary for the purchase and erection of suitable buildings for said schools, or for the renting of the same for said schools.

SEC. 3. That said Act be amended by the addition of a new Section to be known as

SECTION 8. That non-residents who own property in said School District and return the same for taxation shall have all the rights and privileges of residents of said School District.

SEC. 4. That said Act be amended by changing Section 8 so that it shall be known as Section 9 of said Act.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE CLINTON COLLEGE ASSOCIATION.

A. D. 1890.

No. 615.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clinton College Association is hereby made a body corporate and politic, and said association consisting of the pastor, elders and deacons of the Clinton Presbyterian Church, and of any church or churches that may be formed from it, located in the Town of Clinton, and in connection with the "Presbyterian Church in the United States," and their successors duly appointed; of such ten other persons, resident in or near the Town of Clinton, Laurens County, as the said association may from time to time appoint; and the said members hereinbefore mentioned may associate with themselves two persons from each Presbytery in this State, said persons being members of the "Presbyterian Church in the United States."

Incorporation and copartners.

Succession.

SEC. 2. That the said College Association shall have perpetual succession of officers and members. It may lawfully appoint a Board of Directors to attend to all business in the interim of its own sessions, and under the name of the Clinton College Association, or of any of the colleges under its control, shall have a common seal, with power to change, alter or amend the same as often as the said association may deem fit.

Board of Directors.

Name and seal.

SEC. 3. That the said College Association shall have power to confer all such degrees and diplomas usual in colleges as may be recommended by the Faculties of "The Presbyterian College of South Carolina" and the "Clinton Collegiate Institute" for Young Ladies, to use the name or names of the said colleges on their seals, and to add to the number of the schools under their care when deemed needful for the promotion of the cause of learning.

Diplomas and degrees.

Additional schools.

SEC. 4. That the said College Association shall have power to purchase, have, hold, secure, enjoy, possess and retain to itself in perpetuity, or for any term of years, any lands or tenements of any nature whatsoever, not exceeding the sum of five hundred thousand dollars, or to sell or alien the same as the said association may see fit; and by its name to sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State; and to make such rules and by-laws for its own govern-

Property rights.

Limit.

Sue and be sued.

By-laws.

A. D. 1890.

Lands ac-
quired; to what
uses held.

ment as are not repugnant to the laws of the land, and for the order, good government and management thereof, as may be thought necessary and expedient. All lands and tenements of any nature whatsoever that may be bequeathed to, devised or purchased for the Presbyterian College of South Carolina, or any other schools under the care of the said association, shall be held, enjoyed and possessed by the said College Association for the purpose specified.

Public Act.

Repealing
clause.

SEC. 5. That this Act shall be deemed a public Act and continue in force until repealed.

Approved December 24th, A. D. 1890.

No. 616. AN ACT TO AUTHORIZE AND EMPOWER THE TRUSTEES OF THE WADSWORTHVILLE POOR SCHOOL IN LAURENS COUNTY TO ALIEN AND SELL CERTAIN LANDS.

Sale of lands
authorized.

Application of
proceeds.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Trustees of The Wadsworthville Poor School and their successors in office be, and they are hereby, authorized and empowered to sell and convey in fee simple, to any person or persons who shall purchase the same, all or any part of the lands left by the last will and testament of Thomas Wadsworth, deceased, for the support of a poor school in Laurens County, if in their judgment it will be best for the interests of the said school: *Provided*, That the proceeds arising from the sale of such lands shall be applied by the said Trustees to the support of the said poor school in such way and manner as shall be best calculated to carry into effect the intentions of the said testator.

Approved December 24th, A. D. 1890.

AN ACT TO EXTEND THE TIME FOR BUILDING A FENCE AS PROVIDED IN SECTION 3 OF AN ACT ENTITLED "AN ACT TO EXEMPT CERTAIN PORTIONS OF GLASSY MOUNTAIN TOWNSHIP, IN GREENVILLE COUNTY, FROM THE OPERATIONS OF THE PROVISIONS OF CHAPTER 27 OF THE GENERAL STATUTES OF THIS STATE, ENTITLED 'GENERAL STOCK LAW AND FENCING STOCK,' AND ALSO TO AMEND AN ACT ENTITLED AN ACT TO EXEMPT CERTAIN PORTIONS OF LEXINGTON COUNTY FROM THE OPERATIONS OF CHAPTER XXVII OF THE GENERAL STATUTES OF THIS STATE, RELATING TO THE STOCK LAW.'"

A. D. 1890.
No. 617.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the time within which a fence was to be built and completed as provided for in Section 3 of an Act entitled "An Act to exempt certain portions of Glassy Mountain Township, in Greenville County, from the operations of the provisions of Chapter 27 of the General Statutes of this State, entitled 'General Stock Law and Fencing Stock,'" and also to amend an Act entitled "An Act to exempt certain portions of Lexington County from the operation of Chapter XXVII of the General Statutes of this State, relating to the Stock Law," be, and the same is hereby, extended to the 20th day of December, A. D. 1891.

Time extended.
See ante 527.

Until Decem-
ber 20, 1891.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF IRMO, IN LEXINGTON COUNTY. No. 618.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided sixty days in the Town of Irmo, in the County of Lexington, shall be deemed, and are hereby declared, a body politic and corporate, and the said town shall be called and known by the name of Irmo, and its corporate limits shall extend one-half mile North, South, East and West from the depot

Incorporation.

Name and
limits.

A. D. 1890.

on the Columbia, Newberry and Laurens Railway, so that said Town of Irmo shall be one mile square.

Rights and limitations.

SEC. 2. That the said Town of Irmo shall have all the rights, powers and privileges, and be subject to all the provisions and limitations, enumerated and contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved 23d December, 1885. The first election for Intendant and Wardens of said town shall be held on the fifteenth day of January, 1891, between the hours of 9 A. M. and 4 P. M.; and D. C. P. Greyham, S. K. Bouknight and G. D. Bouknight are hereby appointed Commissioners to hold said election, count the votes and declare the result.

19 Stat., 174.

First election.

Sale of liquors absolutely prohibited.

SEC. 3. That it shall be unlawful for any druggist or other person to sell any spirituous or malt liquors, or any medicated liquors of which spirituous liquor forms an ingredient, within the incorporate limits of said town, upon the prescription of a physician or otherwise, and any and all persons violating the provisions of this Section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine or imprisonment, or both, within the discretion of the Court; and the Town Council of said town is hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties, to enforce the observance and punish all violations of the provisions of this Section.

Penalties.

Ordinances.

Public Act.

Duration.

SEC. 4. That this Act shall be deemed a public Act, shall go into effect from the date of its approval, and shall continue of force for a period of thirty years, and until the final adjournment of the General Assembly next thereafter.

Approved December 24th, A. D. 1890.

No. 619. AN ACT TO INCORPORATE THE TOWN OF WHITE ROCK, IN LEXINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the State who now are or hereafter may be inhab-

itants of the Town of White Rock, in Lexington County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of White Rock, and the limits shall extend one-half of a mile in every direction from the depot of the Columbia, Newberry and Laurens Railroad as a centre.

A. D. 1890.

Name and
limits.

SEC. 2. Said Town of White Rock shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Rights and
limitations.

19 Stat., 174.

SEC. 3. That this Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

Public Act.

Duration.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the Town of White Rock, in the County of Lexington.

Liquor license
prohibited.

SEC. 5. This Act shall take effect immediately on its approval.

When to take
effect.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF MARION COUNTY TO USE ANY BALANCE OF COMMUTATION ROAD TAX REMAINING IN TREASURY ON FIRST DAY OF JANUARY OF EACH YEAR FOR OTHER PURPOSES THAN REPAIRS OF HIGHWAYS.

No. 620.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Marion County be, and they are hereby, authorized to use for other County purposes than repairs of highways, as now required by law, any balance of the road commutation tax remaining in the County Treasurer's hands on the first day of January in each year.

Use of road
commutation
tax.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing
clause.

Approved December 20th, A. D. 1890.

A. D. 1890.
 No. 621.

AN ACT TO PERMIT PERSONS IN MARION COUNTY LIABLE TO ROAD DUTY TO PAY A COMMUTATION TAX IN LIEU OF WORKING THE PUBLIC ROADS.

Road commu-
 tation tax au-
 thorized.

When payable.

Certificate of
 exemption.

Term of ex-
 emption.

List of per-
 sons so paying.

Report of pay-
 ments.

Use of same.

Repealing
 clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons liable to perform road duty in the County of Marion, and who reside outside of the incorporated towns and villages of said County, are hereby authorized to pay to the County Treasurer a commutation tax of four dollars in lieu of the time which said persons are required by law to work the public roads annually in said County : *Provided*, That said commutation tax shall be paid between the first days of January and April in each year to the County Treasurer.

SEC. 2. That whenever any person liable to road duty as aforesaid shall pay to said Treasurer the commutation tax stated in the first Section of this Act, the said Treasurer shall furnish to said person a certificate showing that he has paid the said tax, which certificate shall exempt him from all road duty in said County for a period of twelve months, beginning on the first of January of the year in which said tax is paid, and ending on the 31st December thereafter.

SEC. 3. That immediately after the payment of the said tax, it shall be the duty of the County Treasurer to furnish the County Commissioners of said County with all the names of all persons who have paid said commutation tax ; and the said County Commissioners shall furnish all overseers or contractors with the names of all such persons, who shall not be liable to road duty for the year in which said payment may be made.

SEC. 4. That the tax so paid under the provisions of this Act shall be reported by the said County Treasurer to the County Commissioners at their first regular meeting following the 1st day of April of each year, and the said County Commissioners are hereby required to spend the tax in the repairs of the highways of the road district where the person paying the same resides.

SEC. 5. That all Acts or parts of Acts inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Approved December 23d, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF LATTA, IN MARION COUNTY.

A. D. 1890.

No. 622.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the Town of Latta shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be known by the name of Latta, and the limits shall extend one-half mile in every direction from the Florence Railroad depot.

Incorporation.

Name and limits.

SEC. 2. Said Town of Latta shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885.

Rights and limitations.

19 Stat., 174.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Public Act.

Duration.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the Town of Latta, in the County of Marion, and the sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said town is hereby prohibited.

Sale of liquor prohibited.

SEC. 5. This Act shall take effect immediately upon its passage.

When to take effect.

Approved December 23d, A. D. 1890.

AN ACT TO AMEND SECTION 10 AND SECTION 17 OF AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF MARION," APPROVED 24TH DECEMBER, A. D. 1883, AS TO THE POWER OF COUNCIL TO OPEN AND REPAIR STREETS, AND AS TO THE POWER OF COUNCIL TO BORROW MONEY FOR PUBLIC USES, RESPECTIVELY. No. 623.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

- A. D. 1890.** in General Assembly, and by the authority of the same, That
A. A. 1883, § 10, Section 10 of an Act entitled "An Act to renew and amend the
18 Stat., 623, charter of the Town of Marion," approved December 24th, A.
amended. D. 1883, be, and said Section 10 is hereby, amended, so that the
 same as amended shall read as follows :
- Duty of Council as to streets.** SECTION 10. That the Intendant and Wardens shall have full
 and exclusive control over all streets, roads and ways in said
 town, and it shall be their duty to keep them open and in good
Changes authorized. repair. They shall have power to close or change all such roads,
 streets or ways within said town as they may deem conducive to
Sale of freehold. the public convenience, and may sell the freehold of any such
 street, road or way at public sale after fifteen days' public
 notice in some newspaper published in said town ; and they shall
Opening streets. have power to lay out, adopt, open and keep in repair all such
 new ways, streets or roads as they may deem necessary for the
 improvement and convenience of said town. The said Town
 Council shall have power to require all persons owning a lot or
 lots in said town to yield sufficient space bordering the same for
Sidewalks. a sidewalk whenever the same shall front or adjoin any public
 street in said town, if in the judgment of the Town Council
 such sidewalks shall be necessary, the width thereof and the
 manner of their construction to be designated and regulated by
 the said Council. And the said Town Council shall have all the
Powers over streets, &c. powers over the streets, roads and ways therein which are now
 given or may hereafter be given to County Commissioners over
 the roads in their several Counties, subject, nevertheless, to the
 limitations herein prescribed. And they shall have power to
Compounding for work. compound with all persons liable to work the streets, ways and
 roads in said Town of Marion upon such terms as they shall by
 ordinance establish ; the moneys so received to be applied to the
 uses of such corporation.
- Section 17 amended.** SEC. 2. That Section 17 of said Act be, and the same is hereby,
 amended, so that said Section 17 as amended shall read as fol-
 lows :
- Loans and bonds.** SECTION 17. That the said Town Council shall have power to
 borrow money for the public uses of the corporation by issuing
 from time to time, as occasion may require, the bonds of said
Limit. corporation, bearing interest at a rate not exceeding seven per
 centum per annum, to be paid semi-annually, for an amount
Liability for repayment. not to exceed twenty thousand dollars, and for the payment of
 the interest and the ultimate redemption of the principal ac-
 cording to the terms of the loan the said corporation shall be at

all times liable : *Provided*, That the property of the inhabitants of the said town shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax according to the provisions of this Act : *Provided, further*, That a majority of the owners of property situate within the limits of said town, in person or by written proxy, shall first vote in favor of issuing the said bonds ; and the said Town Council shall give at least fifteen days' notice of holding such election.

A. D. 1890.
 To be repaid
 by taxation.
 Election on
 question of debt

Approved December 24th, A. D. 1890.

AN ACT TO AMEND SECTION 10 AND SECTION 17 OF AN ACT No. 624.
 ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF MARION," APPROVED 24TH DECEMBER, A. D. 1883, AS TO THE POWER OF COUNCIL TO OPEN AND REPAIR STREETS, AND AS TO THE POWER OF COUNCIL TO BORROW MONEY FOR PUBLIC USES, RESPECTIVELY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 10 of an Act entitled "An Act to renew and amend the charter of the Town of Marion," approved December 24th, A. D. 1883, be, and said Section 10 is hereby, amended, so that the same as amended shall read as follows :

A. A. 1883, § 10,
 18 Stat., 696,
 amended.

SECTION 10. That the Intendant and Wardens shall have full and exclusive control over all streets, roads and ways in said town, and it shall be their duty to keep them open and in good repair. They shall have power to close or change all such roads, streets or ways within said town as they may deem conducive to the public convenience, and may sell the freehold of any such street, road or way at public sale after fifteen days' public notice in some newspaper published in said town ; and they shall have power to lay out, adopt, open and keep in repair all such new ways, streets or roads as they may deem necessary for the improvement and convenience of said town : *Provided, however*, That when the owner of any lot or lands over which said Council propose to open new streets or widen old streets or sidewalks

Duty of Council
 as to streets.

Changes authorized.

Sale of freehold.

Opening streets.

Compensation
 to lot owners.

A. D. 1890.

shall object, then a referee shall be chosen by the Council and one by the land owner, and these two shall call in a third referee to decide on the location and to assess damages, and the condemnation shall be secured only as in case of securing right of way over other land as provided in Sections 1077, 1078, 1079, 1080, 1081 and 1082 of the General Statutes. The said Town Council shall have power to require all persons owning a lot or lots in said town to yield sufficient space bordering the same for a sidewalk whenever the same shall front or adjoin any public street in said town, if in the judgment of the Town Council such sidewalks shall be necessary, the width thereof and the manner of their construction to be designated and regulated by the said Council. And the said Town Council shall have all the powers over the streets, roads and ways therein which are now given, or may hereafter be given, to County Commissioners over the roads in their several Counties, subject, nevertheless, to the limitations herein prescribed. And they shall have power to compound with all persons liable to work the streets, ways and roads in said Town of Marion, upon such terms as they shall, by ordinance, establish; the moneys so received to be applied to the uses of such corporation.

Sidewalks.

Powers over streets.

Compounding for work.

Section 17 amended.

SEC. 2. That Section 17 of said Act be, and the same is hereby, amended, so that said Section 17 as amended shall read as follows :

Loans and bonds.

SECTION 17. That the said Town Council shall have power to borrow money for the public uses of the corporation, by issuing from time to time, as occasion may require, the bonds of said corporation, bearing interest at a rate not exceeding seven per centum per annum, to be paid semi-annually, for an amount not to exceed twenty thousand dollars, and for the payment of the interest and the ultimate redemption of the principal according to the terms of the loan the said corporation shall be at all times liable: *Provided*, That the property of the inhabitants of the said town shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax according to the provisions of this Act: *Provided, further*, That a majority of the owners of property situate within the limits of said town, in person or by written proxy, shall first vote in favor of issuing the said bonds; and the said Town Council shall give at least fifteen days' notice of holding such election.

Limit.

Liability for repayment.

To be repaid by taxation.

Election on question of debt

Approved December 24th, A. D. 1890:

NOTE.—For Act relating to transfer of certain Probate Court actions, &c., to Florence County, see Act, No. 574, ante 839.

AN ACT TO PROHIBIT THE TRAFFIC IN INTOXICATING LIQUORS
IN THE COUNTY OF MARLBORO.

A. D. 1890.

No. 625.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter the sale of all spirituous liquors, wines, fruits prepared with spirituous liquors, bitters, or other beverages of which spirituous liquors form an ingredient, is hereby prohibited within the limits of the County of Marlboro, except as hereinafter provided; and the keeping of any such contraband goods with the intent on the part of any person whomsoever to sell the same within the County of Marlboro contrary to the provisions of this Act is hereby prohibited; and the same so kept, together with the vessels in which it is contained, is declared a nuisance, and shall be forfeited and dealt with as hereinafter provided.

Sale of liquors prohibited.

Keeping for sale prohibited.

Declared a nuisance and forfeited.

SEC. 2. From and after the passage of this Act no person shall manufacture for sale, sell, keep for sale either for himself or another, give away, exchange, barter or dispense any intoxicating liquor, for any purpose whatever, otherwise than as provided in this Act, within the limits of said County.

Manufacture, sale, gift, &c., prohibited.

SEC. 3. Persons holding permits, as herein provided, shall be authorized to sell and dispense intoxicating liquors for pharmaceutical and medicinal purposes and alcohol for specified chemical purposes and wine for sacramental purposes, but for no other purposes whatever; and all permits must be procured as hereinafter provided from the Court of General Sessions for said County at any term thereof after this Act takes effect, and a permit to buy and sell intoxicating liquors when so procured shall continue in force for one year from date of its issue, unless revoked according to law or until application for renewal is disposed of, if such application is made before the year expires: *Provided*, That renewal of permits may be annually granted upon written application by permit-holders who show to the satisfaction of the Court or Judge that they have during the preceding year complied with the provisions of this Act and execute a new bond as in this Act required to be originally given; but parties may appear and resist renewal the same as in applications for permits.

Permits to sell for certain purposes.

How procured.

Term of permit.

Renewal of permits.

SEC. 4. Thirty days' notice shall be given in a newspaper published at the County seat, and also upon the court house door, of intention to apply to the Court aforesaid for such permit, stating the term to which application will be made.

Notice of intention to apply for permit.

A. D. 1890.

Petitions for
permits regu-
lated.

Applicant must
be a pharmacist.

Other require-
ments.

Certificate of
good character.

Bond to be filed.

With sureties.

Approval by
Clerk of Court.

Opposition to
petition.

SEC. 5. Applications for permits shall be made by petition, signed and sworn to by the applicant, and filed in the office of the Clerk of said Court at least ten days before the first day of the term, which petition shall state the applicant's name, place of residence, in what business he is then engaged, and in what business he has been engaged for two years previous to filing the petition; the place, particularly describing it, where the business of buying and selling liquor is to be conducted; that he is a citizen of the United States and of the State of South Carolina; that he is a pharmacist duly licensed under the laws of said State, and now is, and for the last six months has been, lawfully conducting a pharmacy in the township or town wherein he proposes to sell intoxicating liquors under the permit applied for, and as the proprietor of such pharmacy that he has not been adjudged guilty of violating the law relating to intoxicating liquors within the last two years next preceding his application, and is not the keeper of a hotel, eating house, saloon, restaurant or place of public amusement; that he is not addicted to the use of intoxicating liquors as a beverage, and has not within the last two years next preceding his application been directly or indirectly engaged, employed or interested in the unlawful manufacture, sale or keeping for sale of intoxicating liquors; and that he desires a permit to purchase, keep and sell such liquors for lawful purposes only. Appended to said petition shall be a certificate of good moral character in behalf of the applicant signed by a white clergyman of each of two of the leading denominations of Christians in the said County.

SEC. 6. The applicant shall file with the Clerk of the Court at the time of filing his petition a bond in the penal sum of one thousand dollars, conditioned for the payment to the County of Marlboro of the sum of five hundred dollars liquidated damages for each and every violation of this Act by the petitioner; said bond shall be made payable to the County Commissioners of the County of Marlboro, and shall be subscribed by two good and sufficient sureties, each of whom shall be a resident of said County and a freeholder therein, and qualify in the sum of one thousand dollars over and above liabilities and exemptions; and said bond shall be approved by said Clerk of the Court, who shall be responsible upon his official bond for approving an insufficient bond.

SEC. 7. Upon the hearing of said petition any person may appear and oppose the granting of the same by filing an answer

thereto alleging the grounds of opposition, which answer shall be duly verified. If it shall appear to the satisfaction of the Court that any of the facts stated in the petition as entitling the applicant to a permit is untrue, or that any other good reason exists why the applicant should be refused a permit, it shall not be granted; otherwise, the Court may grant the prayer of the petition, and thereupon the applicant shall have the authority conferred by Section 3 of this Act, upon taking the oath and obtaining the certificate of the Clerk hereinafter named. Affidavits may be submitted or witnesses examined orally before the Court to determine the question as to whether the permit shall be granted. The petition for a permit shall be filed in the Clerk's office twenty days before the sitting of the Court, and this fact must appear by the certificate of the Clerk before the Court shall entertain the petition. The proceedings shall constitute a part of the records of said Court, as other cases. In pursuance of the order granting the permit the Clerk shall issue a certificate of the same upon the applicant's subscribing and filing with him an oath that he will duly observe the requirements of law in all sales or dispositions made of any spirituous liquors, or articles of which they may form an ingredient, and that he will not violate the provisions of this Act.

A. D. 1890.
Decision by
the Court.

Testimony.

Petition to be
filed.

To be of record.

Certificate of
permit.
Oath.

SEC. 8. That the person receiving such permit shall keep a strict account of all intoxicating liquors bought by him and the disposition made of the same, to whom and for what purpose disposed of, and the date of reception and disposal, and the quantities bought and disposed of, as to each item, which record shall be open to the inspection of all persons.

Strict account
to be kept.

To be open to
inspection.

SEC. 9. All common carriers and persons who carry for hire are prohibited from bringing within said County of Marlboro, for any person or corporation, any intoxicating liquors, or other beverage made contraband by this Act or by the laws of South Carolina, from any other County of the said State, or from any other State or Territory of the United States, or from any foreign country, without having first been furnished with a certificate under the seal of the Clerk of the Court aforesaid, certifying that the consignee is authorized to sell intoxicating liquors in said County and the limits of the time for which he is so authorized.

Carrying liquor
into the County
prohibited.

Except to cer-
tified consignee

SEC. 10. Any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and punished by a fine of not less than five hundred dollars or imprisonment not less than six months in the Penitentiary, the one-half of all fines.

Penalties for
violations.

Half fine to
the informer.

- A. D. 1890.** to be paid under order of Court to the informer. The bond given by one holding a permit shall be forfeited also in case of his conviction; the condition of the same shall be recoverable in an action by the County Commissioners, and the record of the indictment against him shall be admitted in evidence of his violation of this Act. If a common carrier or corporation violate the provisions hereof, it shall be liable to the said County in the sum of five hundred dollars, to be recovered by action brought by the County Commissioners against it in the Court of Common Pleas.
- Suit on bonds and proof.**
- Liability of common carrier**
- Seizure of contraband liquor.** SEC. 11. All spirituous liquors and vessels found contraband as stated in Section 1 hereof shall be liable to seizure by the Sheriff, and any person may make affidavit before a Trial Justice, either positively or upon information and belief, that such liquors and vessels are upon the premises or in the possession of any person, and thereupon the Sheriff shall make search for the same, and if found shall take them into his custody and hold them subject to the order of Court to be made pursuant to a verdict to be rendered under an indictment, to be preferred against the person in whose possession they were found or to whom they belonged, for violation of this or other Statutes against intoxicating liquors. If the verdict be against the party so indicted the Court shall order said contraband goods sold at auction and the proceeds paid into the County treasury for school purposes. If the verdict be in favor of the party so indicted the Court shall order the goods to be restored to their former custody.
- Search by Sheriff.**
- Sale of goods seized.**
- Restoration of goods.**
- Bond of seller liable for misapplication of liquor purchased.** SEC. 12. The person holding a permit hereunder shall be responsible upon his bond aforesaid for the application of all intoxicants sold under this Act to the purposes for which they are sold, and no other. And should they not be so applied his said bond shall be forfeitable. All Acts and parts of Acts inconsistent with this Act are hereby repealed in so far as they affect Marlboro County.
- Repealing clause.**

Approved December 24th, A. D. 1890.

No. 626. AN ACT TO AMEND THE CHARTER OF THE TOWN OF BENNETTSVILLE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That Section 13 of an Act entitled "An Act to renew and amend the charter of the Town of Bennettsville," approved February 9, 1882, and amended by Section 3 of an Act entitled "An Act to amend an Act entitled 'An Act to renew and amend the charter of the Town of Bennettsville,'" approved December 24, 1884, be amended so as to read as follows :

SECTION 13. The said Mayor and Aldermen shall have control over streets, ways, pavements and sidewalks, bridges, public squares and public buildings within the corporate limits of and belonging to said town, and shall have full power to protect life, liberty and property, both public and private, within the corporate limits of the same. They are authorized to pass such ordinances, not inconsistent with the laws of this State, as in their judgment may be necessary, and affix penalties for a violation thereof, in the alternative, not exceeding one hundred dollars' fine or thirty days' imprisonment. The Mayor and Aldermen shall be charged with the duty of keeping all streets, ways and sidewalks, pavements, bridges, sewers, streams and drains within the corporate limits of the said town in good order, and they may alter, widen and lay out anew streets, ways, sidewalks and pavements, ditches and drains, so as to improve the health or appearance of any portion of said town or enhance the convenience of any of its inhabitants, in such manner as may be provided by law, or with the consent of adjacent property owners. They may issue licenses for the carrying on of any business not prohibited by law in the said town for the purpose of raising a revenue. They may prescribe fees and require the payment of the same before issuing such licenses. They may appoint two persons, who shall be owners of both real and personal property within the corporate limits of said town and qualified voters therein, as a Board of Assessors, whose duty it shall be to examine all the returns of property and equalize the same as to value, and list all unlisted property and place the same on the tax books, and they shall serve for two years. The said Mayor and Aldermen shall also have power to pass ordinances prohibiting the building of wooden buildings or structures upon any street on or leading to the public square and within one thousand feet of the court house, and they may pass such ordinances as shall more effectually aid in the police regulations of said town.

A. D. 1890.

A. A. 1892, § 13,
17 Stat., 905,
amended.Control of
streets, &c.To protect
life, liberty and
property.

Ordinances.

To keep streets,
drains, &c., in
order.Changes in
streets, &c.

License tax.

Fees.

Board of As-
sessors.

Fire limits.

Police regula-
tions.

Approved December 24th, A. D. 1890.

A. D. 1890.

No. 627.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BENNETTSVILLE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 13 of an Act entitled "An Act to renew and amend the charter of the Town of Bennettsville," approved February 9th, 1882, and amended by Section 3 of an Act entitled "An Act to amend an Act entitled 'An Act to renew and amend the charter of the Town of Bennettsville,'" approved December 24, 1884, be amended so as to read as follows:

Control of streets, &c.

Protection of life, &c.

Ordinances.

Streets, drains, &c., to be kept in order.

Changes in streets.

Board of Assessors.

Fire limits.

Police regulations.

SECTION 13. The said Mayor and Alderman shall have control over streets, ways, pavements and sidewalks, bridges, public squares and public buildings within the corporate limits of and belonging to said town, and shall have full power to protect life, liberty and property, both public and private, within the corporate limits of same. They are authorized to pass such ordinances, not inconsistent with the laws of this State, as in their judgment may be necessary, and affix penalties for a violation thereof, in the alternative, not exceeding one hundred dollars' fine or thirty days' imprisonment. The Mayor and Aldermen shall be charged with the duty of keeping all streets, ways and sidewalks, pavements, bridges, sewers, streams and drains within the corporate limits of the said town in good order; and they may alter, widen and lay out anew streets, ways, sidewalks and pavements, ditches and drains, so as to improve the health or appearance of any portion of said town, or enhance the convenience of any of its inhabitants, in such manner as may be provided by law or with the consent of adjacent property owners. They may appoint two persons, who shall be owners of both real and personal property within the corporate limits of said town and qualified voters therein, as a Board of Assessors, whose duty it shall be to examine all the returns of property and equalize the same as to value, and list all unlisted property and place the same on the tax books, and they shall serve for two years. The said Mayor and Aldermen shall also have power to pass ordinances prohibiting the building of wooden buildings or structures upon any street on or leading to the public square and within one thousand feet of the court house, and they may pass such ordinances as shall more effectually aid in the police regulations of said town.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF MCCOLL, IN MARLBORO COUNTY.

A. D. 1890.

No. 628.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the Town of McColl, in Marlboro County, in this State, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known by the name of McColl, and the limits of said town shall extend one-half of one mile in every direction from the point where the Cape Fear and Yadkin Valley Railroad crosses the public road at the depot building of said railroad company.

Incorporation.

Name and limits.

SEC. 2. Said Town of McColl shall be vested with all the rights, powers and privileges contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885, that are not inconsistent with this Act.

Rights and powers.

19 Stat., 174.

SEC. 3. That the election for Intendant and Wardens of said town shall be held on the fifteenth day of January in each year until otherwise fixed by an ordinance of said town.

Day of elections

SEC. 4. That for the purpose of the first election for Intendant and Wardens of said town, T. B. Gibson, Luther McLaurin and W. R. Fletcher be, and they are hereby, appointed Managers to conduct said election, and the said Managers shall give ten days' public notice of such election, by posting same in three conspicuous places in said town, or by publication in some newspaper published therein.

First election.

SEC. 5. That the sale of spirituous or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town.

Sale of liquors prohibited.

SEC. 6. This Act shall be a public Act, and shall continue in force for forty years from the date of its approval.

Public Act.

Duration.

SEC. 7. This Act shall take effect immediately upon its approval.

When to take effect.

Approved December 23d, A. D. 1890.

A. D. 1890. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND**
 No. 629. **AN ACT ENTITLED 'AN ACT TO INCORPORATE THE VIL-**
LAGE OF TATUM, IN MARLBORO COUNTY,'" APPROVED
 DEC. 24, 1887.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 A. A. 1887, an Act entitled "An Act to amend an Act entitled 'An Act to
 19 Stat., 1064, incorporate the Village of Tatum, in Marlboro County,'" ap-
 amended. proved December 24, 1887, be, and the same is hereby, amended,
 by adding thereto a Section to be known as Section 3, which is
 as follows :

Duty of Coun- SECTION 3. The Intendant and Wardens of the said town
 cil as to public shall be charged with the duty of keeping all streets, ways, side-
 ways, &c. walks, pavements, bridges, sewers and drains within the corpo-
 Alteration of rate limits of said village in good order ; and they may alter,
 streets, &c. widen and lay out anew streets, sidewalks, pavements, ditches
 and drains, so as to improve the health or appearance of any
 portion of said town or enhance the convenience of any of its
 inhabitants in such manner as may be provided by law, or with
 Police regula- the consent of adjacent property owners ; and they may pass
 tions. such ordinances as shall aid in enforcing the police regulations.

Approved December 24th, A. D. 1890.

No. 630. **AN ACT TO CHANGE THE NAME OF MARY MARGARET LOCKIE,**
OF MARLBORO COUNTY, TO MARY MARGARET LOCKIE FORD,
AND TO EMPOWER HER TO INHERIT FROM TRISTRAM C.
FORD, AND FROM HIS WIFE, ADELINE E. FORD.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 Name changed. the name of Mary Margaret Lockie, an infant daughter of James
 T. Lockie and his wife, Margaret J. Lockie, now deceased, of
 Marlboro County, be changed to Mary Margaret Lockie Ford.
 Made the heir SEC. 2. That the said Mary Margaret Lockie (Ford) be, and
 of her adopted she is hereby, authorized and empowered to inherit from, and
 parents. be the lawful heir at law of, Tristram C. Ford, and of his wife,

Adeline E. Ford, of Marlboro County, who have, under the deed and grant in writing of the said James T. Lockie, adopted the said Mary Margaret Lockie (Ford) as their own child. A. D. 1890.

Approved December 23d, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF LITTLE MOUNTAIN, No. 631.
IN NEWBERRY COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the Town of Little Mountain shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Little Mountain, and the limits shall extend one-half mile in every direction from the depot of the Columbia, Newberry and Laurens Railway Company. Incorporation.

Name and
limits.

SEC. 2. Said Town of Little Mountain shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885. Rights and
limitations.

19 Stat., 174.

SEC. 3. This Act shall be a public Act and shall continue in force for thirty years from the date of its passage and until the final adjournment of the General Assembly next thereafter. Public Act.
Duration.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of said town, and the sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said town is hereby prohibited. Sale of liquors
prohibited.

SEC. 5. This Act shall take effect immediately upon its approval. When to take
effect.

Approved December 24th, A. D. 1890.

A. D. 1890. **AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF PROSPERITY, SOUTH CAROLINA, TO LAY OUT AND OPEN NEW STREETS, AND TO CLOSE UP, WIDEN OR OTHERWISE ALTER THOSE NOW IN USE WITHIN THE CORPORATE LIMITS OF SAID TOWN.**
 No. 632.

Authority to
open, close and
alter streets.

When it may
be done.

Payment of
damages.

How ascer-
tained.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the Town of Prosperity, South Carolina, be, and the same is hereby, authorized and empowered to lay out and open new streets in said town, and to close up, widen or otherwise alter those now in use or which may hereafter be established, whenever the same may be necessary for the improvement and convenience of said town, and prayed for in a written petition signed by ten freeholders who reside within the corporate limits of said town.

SEC. 2. That said Town Council shall first pay the damages, should any be claimed, to the land or house owner or owners through or adjoining whose premises said streets may run, such damages to be fixed and determined in the same manner as is now or may hereafter be prescribed for acquiring and laying off a public highway over or through the lands of another.

Approved December 24th, A. D. 1890.

No. 633. **AN ACT TO AUTHORIZE THE NEWBERRY SCHOOL DISTRICT TO ISSUE ADDITIONAL BONDS FOR THE USE OF SAID SCHOOL DISTRICT. (1)**

Issue of bonds
to be determin-
ed by election.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Trustees of the Newberry School District are hereby empowered to submit to the qualified voters resident in said School District, at an election to be held for that purpose after at least twenty days' notice, the question of authorizing an additional issue of bonds not exceeding the amount of five

(1) This Act was passed and approved in duplicate; but as the two are precisely the same, except that the duplicate was approved on December 24, 1890, only this Act is printed.—
 EDITOR.

thousand dollars, bearing six per cent. interest and payable in twenty years from the fifteenth day of November, 1890, and the levy of an additional tax of four-tenths of a mill on the taxable property in said School District, to be collected by the County Treasurer of Newberry County, to pay the interest on said bonds. The said Board of Trustees is hereby empowered to appoint three Managers to conduct said election, to declare the result of the same, and is authorized to execute, sell and deliver the said bonds in the event the majority of the persons voting at said election shall be in favor of the same.

A. D. 1890.
Amount.
Additional tax.

Managers.

Issue of bonds.

SEC. 2. The annual interest on said bonds shall be paid by the County Treasurer out of said special tax, and any surplus remaining after the payment of said interest shall be applied, under the direction of said Board of Trustees, to the redemption of the bonds of said School District.

Annual interest.
Surplus of tax.

SEC. 3. The proceeds realized from said bonds shall be used by the said Board of Trustees for the purposes of said School District as fixed and determined by the Act creating said School District, entitled "An Act to establish the Newberry School District, to authorize the establishment of free graded schools therein, and to provide the means for the efficient management of the same," approved December 23d, 1889.

Application of proceeds of bonds.

Ante 557.

Approved December 23d, A. D. 1890.

A JOINT RESOLUTION TO AUTHORIZE THE TRUSTEES OF No. 634.
No. 11 TOWNSHIP TO ISSUE TO LILLIE KINARD PAY CERTIFICATES FOR THE MONTHS OF DECEMBER, 1888, AND JANUARY, 1889, AND THE SCHOOL COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO APPROVE THE SAME, AND DIRECT THE COUNTY TREASURER OF NEWBERRY COUNTY TO PAY LILLIE KINARD THE AMOUNT EXPRESSED IN SAID CERTIFICATES, AND ALSO REIMBURSE THE TRUSTEES OF BROAD RIVER SCHOOL DISTRICT THE SUM OF FIFTY DOLLARS ADVANCED TO W. FITZGERALD.

Whereas Willie Fitzgerald and Lillie Kinard, under contract with the Trustees of No. 11 Township in Newberry County, taught in the free schools of said township during the months

Preamble.

A. D. 1890.

of December, 1888, and January, 1889; *and whereas* a part of No. 11 Township has been formed into a School District known as "Broad River School District," by an Act of the General Assembly approved December 22, 1888; *and whereas* the Trustees of the Broad River School District have paid the claim of W. Fitzgerald out of funds belonging exclusively to the Broad River School District; *and whereas* the Trustees of Broad River School District and the Trustees of No. 11 Township have refused to issue pay certificates to Lillie Kinard: Therefore,

Pay certificate
to Miss Kinard.

Approval and
payment direct-
ed.

Reimburse-
ment of sum
paid to W. Fitz-
gerald.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trustees of No. 11 Township be, and they are hereby, authorized and required to issue to Lillie Kinard pay certificates for the months of December, 1888, and January, 1889, and the School Commissioner is hereby authorized and directed to approve the same and direct the County Treasurer of Newberry County to pay Lillie Kinard the amount expressed in said certificates, and also reimburse the Trustees of Broad River School District the sum of fifty dollars advanced to W. Fitzgerald: *Provided*, That the said payments shall be made from the general school fund of No. 11 Township before distribution between No. 11 Township and Broad River School District.

Approved December 24th, A. D. 1890.

No. 635. AN ACT TO AMEND SECTION 4 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE NEWBERRY BUILDING AND LOAN ASSOCIATION."

A. A. 1883,
§ 4, 18 Stat., 406,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to incorporate the Newberry Building and Loan Association," approved December 22d, 1883, be, and the same is hereby, amended, so as to read as follows:

Investment of
funds.

SECTION 4. That the funds of said corporation shall be invested in real estate, bonds, stocks and such other property as

the corporation may direct, and shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may, from time to time, be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or mortgage, or otherwise dispose of the same as they from time to time may deem expedient.

A. D. 1890.

Property rights.

Approved December 24th, A. D. 1890.

A JOINT RESOLUTION TO AUTHORIZE THE SCHOOL COMMISSIONERS OF OCONEE COUNTY TO APPORTION THE INCOME OF THE COUNTY SCHOOL FUND AMONG THE SEVERAL SCHOOL DISTRICTS THEREIN IN PROPORTION TO THE NUMBER OF CHILDREN OF SCHOOL AGE RESIDING IN EACH DISTRICT. No. 636.

Whereas the Board of Examiners of Oconee County has redistricted said County into a larger number of small School Districts, so that there can be only one white and one colored school in each District, and there is no record in the School Commissioner's office of the number of pupils attending the public schools in the new Districts by which he can apportion the school fund according to law;

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Oconee County is hereby authorized and required to apportion the income of the school fund for said County for the fiscal year 1890-91 amongst the new School Districts thereof in proportion to the number of children of the school age residing in each District, which number it shall be the duty of the School Trustees in the respective Districts to ascertain and report to the School Commissioner in time for him

School Commissioner to apportion funds.

Enumeration of school children.

A. D. 1890. to make his usual annual apportionment; and if said Trustees shall fail to report the same in time, the School Commissioner shall ascertain the same from the best information advisable to him and make the apportionment therefrom.

Approved December 24th, A. D. 1890.

No. 637. A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO BORROW MONEY FOR CERTAIN PURPOSES.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and empowered to borrow a sum of money, not to exceed forty-five hundred dollars, at a rate of interest not to exceed seven per centum per annum, the same to be applied to the use of their account for repairs of roads and bridges and to pay jurors, witnesses and Court Constables in said County.

Pledge of taxes. **SEC. 2.** That to secure the payment of the said sum and the interest thereon, the said County Commissioners are hereby authorized and empowered to pledge the taxes of their said County levied for the fiscal year beginning on November 1st, A. D. 1890.

Approved December 24th, A. D. 1890.

No. 638. AN ACT TO PROVIDE FOR THE CREATION OF A NEW JUDICIAL DISTRICT IN THE COUNTY OF ORANGEBURG AND FOR THE APPOINTMENT OF A TRIAL JUSTICE THEREFOR.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and required to create and designate an

Judicial District established

Eighth Judicial District within the said County in accordance with the provisions of an Act entitled "An Act to limit the number of Trial Justices in certain Counties of this State, to provide for fixing their territorial jurisdiction, and for the manner and amount of their compensation," approved December 24th, 1886. A. D. 1890.
19 Stat., 701.

SEC. 2. That the said Judicial District shall include Elizabeth Township, and when designated according to law it shall be the duty of the Governor to appoint a Trial Justice for the same, whose powers, jurisdiction and duties shall be in accordance with the provisions of said Act in relation to such officers appointed thereunder, and the salary of such Trial Justice shall be at the rate of forty (\$40) dollars per annum. To include Elizabeth Township.
Governor to appoint Trial Justice.
Salary.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE "THE BROTHERS OF ZION ASSOCIATION OF ORANGEBURG" AND TO VALIDATE THE ACTINGS AND DOINGS OF THE SAME UNDER A CERTIFICATE OF INCORPORATION ISSUED BY THE CLERK OF COURT OF ORANGEBURG COUNTY. No. 639.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That M. P. Glover, P. McFall, D. D. Wilson, E. E. Jenkins, C. Holmes, P. Sims, B. S. Jeffcoat, J. Myers, E. D. Sider, H. W. Hancock, H. Bromson, Farmer Haynes, Jas. Steward, Robert Cottrell, James Gibson, A. Martin, J. L. Henderson, Jas. C. Dickson and R. W. Jewett, and others who are or may hereafter be associated with them, be, and they are hereby, declared a body politic and corporate, by the name and style of The Brothers of Zion Association of Orangeburg. Corporators.
Incorporation and name.

SEC. 2. That said corporation shall have power and authority to lend money on real and personal security, to buy, sell, lease and exchange real and personal property, and to improve the real estate of the corporation by the erection of buildings and other improvements thereon or otherwise; to sue and be sued, to use and keep a common seal, and to have and enjoy all and Loans, purchases, building, &c.
Other powers.

- A. D. 1899.** every right incident and belonging to incorporated bodies of like character ; to take, hold and dispose of their capital stock according to such rules and regulations as they may from time to time establish ; to take, hold, dispose of or invest the increase, profits and emoluments of their capital stock ; to acquire and hold in their corporate name lands and real estate, and the same to demise, grant, sell, convey in fee simple, mortgage or otherwise use or dispose of.
- Real estate.**
- Directors and officers.** SEC. 3. The business and property of said corporation shall be managed and controlled by a President, one or more Vice-Presidents, Secretary and Treasurer, not less than five nor more than nine Directors, and such other officers as may be elected by the stockholders ; that said stockholders shall have power to
- By-laws.** make such rules and by-laws, not repugnant to the laws of the land, as they may desire, and to alter and amend the same at their pleasure. Regular meetings of said stockholders shall be held annually in the City of Orangeburg at such time as may be fixed by them, and special meetings shall be held in the same city whenever called for by the holders of not less than one-fourth of the shares of the capital stock. Absent stockholders
- Annual and special meetings** may vote by proxy, and a representation of a majority of the entire stock by the holders thereof or their proxies shall constitute a quorum for the transaction of business, and all officers elected shall hold office for one year from the time of their election.
- Voting.**
- Quorum.**
- Capital stock.** SEC. 4. The capital stock of said corporation shall be divided into five hundred shares of ten dollars each, which shares shall be deemed personal property, and shall be transferred only on the books of said corporation in such manner as the Directors
- Organisation.** may prescribe ; and said corporation may organize and commence business as soon as one thousand dollars of said stock shall have been subscribed for and twenty-five cent. of the same paid into the treasury of said corporation. The Directors of the corporation may from time to time levy assessments upon the stockholders for any of the purposes of the corporation, and may pay dividends to the stockholders from the profits of the corporation as provided by the by-laws of the same.
- Assessments and dividends.**
- Vacancies.** SEC. 5. The President and Directors, or a majority of them, shall have power to fill all vacancies in any office occurring between the regular meetings of the stockholders, and all books of the incorporation shall at all times be open to the inspection of the stockholders.
- Inspection of books.**

SEC. 6. That the property of said corporation, real and personal, shall be liable for its debts; and the liability of the stockholders shall be in accordance with the provisions of the several Statutes.

A. D. 1890.

Liability of
corporation and
of stockholders.

SEC. 7. That all acts done and permitted by the said corporation under a certificate of incorporation issued by the Clerk of Court for Orangeburg County, and all conveyances, deeds and demises of land or other property which it has received or acquired, be, and the same are hereby, confirmed and validated in said corporation; and that all deeds, conveyances, mortgages and sales of lands or other property by the said corporation made or delivered be, and the same are hereby, confirmed.

Validation of
former acts.Confirmation
of rights.
Deeds, &c.,
confirmed.

SEC. 8. That this Act shall go into effect on and after its ratification and approval by the Governor, shall continue in force for twenty-one years, and shall be deemed a public Act.

When to take
effect.

Duration.

Public Act.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE AND PROVIDE FOR THE ERECTION OF A NEW COURT HOUSE FOR THE COUNTY OF PICKENS. No. 640.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Pickens or their successors be, and they are hereby, authorized and required to cause to be erected in the Town of Pickens, the County seat of the County of Pickens, upon the site of the old court house, a new court house, in which when completed the Courts of said County shall be held and the public offices shall be kept, as provided by law.

New court
house to be
erected.

Site.

SEC. 2. That for the purpose of raising funds for the erection of said court house, the County Commissioners of said County or their successors in office be, and they are hereby, authorized and empowered to issue and sell coupon bonds of said County of Pickens in an amount sufficient, with the funds hereinafter authorized to be raised, to meet the expense of erecting said court house: *Provided*, That such issue of bonds shall not exceed the sum of ten thousand dollars; said bonds to be known as court

Issue of bonds

Limit and de-
scription.

- A. D. 1890.** house bonds, to bear interest at a rate not exceeding six per cent. per annum, said interest to be payable annually on the first day of every January succeeding the issuance thereof until the same shall fall due, the principal of said bonds to be payable not more than twenty years from the date thereof; said bonds shall be non-taxable for all purposes whatsoever, and the coupons thereof shall be receivable for all County taxes.
- When payable.**
- Bonds non-taxable.**
- Coupons receivable for taxes.**
- Use of proceeds.** SEC. 3. That said bonds or the proceeds of the sale thereof shall be used by said County Commissioners exclusively in erecting said court house.
- Annual tax.** SEC. 4. That for the purpose of paying the interest on the bonds herein authorized to be issued, the County Commissioners of said County and their successors shall each year levy a sufficient tax upon all taxable property of said County, to be known as the court house tax, and be collected and disbursed according to the laws now of force, or as hereafter amended, providing for the payment of interest on railroad bonds of said County.
- Court house tax.**
- Collection and disbursement.**
- Sale of lots.** SEC. 5. That said County Commissioners or their successors be, and they are hereby, further authorized, in order to raise funds for the erection of said court house, to sell, either at public or private sale, and on such terms as may seem to them proper, the lots mentioned in Section 4 of an Act entitled "An Act to provide for the enlarging and repairing of the court house of Pickens County," approved December 23d, 1889, belonging to said County, and to make in the name of said County good and sufficient conveyances therefor; that all the proceeds of such sales be, and they are hereby, appropriated towards the cost of said new court house: *Provided*, That said Commissioners may use any or all the materials of the old court house in erecting the new court house, or may sell or dispose of the said materials, as to them may seem best, using the proceeds in erecting the said new court house.
- Ante 576.**
- Appropriation of proceeds.**
- Use of materials.**
- May be built by taxation.** SEC. 6. That the said County Commissioners, or their successors, be, and they are hereby, given the right, if in their judgment it is best, instead of issuing bonds to build said court house, to levy upon all the taxable property of said County a tax, or several annual taxes, such as shall be sufficient to pay off in one or more installments (not exceeding five) the whole cost of the erection of said court house; and in case said plan shall be adopted, then, and in such event, the said County Commissioners, or their successors, be, and they are hereby, authorized to borrow sufficient funds for the erection of same, to be repaid by said tax so raised.
- Loans of money authorised.**

SEC. 7. That the said County Commissioners of said County and their successors be, and they are hereby, authorized in the name of the said County of Pickens to make all such contracts as are necessary or proper to be made to execute the powers hereinbefore given them.

A. D. 1890.

Contracts authorized.

SEC. 8. That the said County Commissioners or their successors be, and they are hereby, authorized and empowered to rent suitable rooms or offices in the said Town of Pickens, in which shall be kept the public records of said County during the time in which said new court house is being built; and it shall be the duty of the officers occupying a room or rooms in the old court house, upon notice from the County Commissioners, to transfer the records from their respective offices to the room or place designated and provided by said County Commissioners: *Provided*, That said County Commissioners may use the offices now occupied by the Auditor, Treasurer and School Commissioner for keeping said offices and records which are now held and kept in the court house, and shall have full power and authority to require the three last named officers to hold their respective offices in some other room or building, as may seem best to said County Commissioners.

Rent of rooms for offices.

Transfer of records.

Proviso as to rooms now in use.

SEC. 9. That the County Commissioners of Pickens County or their successors in office be, and they are hereby, authorized and empowered to rent some suitable hall or building in the Town of Pickens in said County in which the Courts of General Sessions and Common Pleas for said County may be held during the time that the new court house provided for in this Act is being constructed and completed.

Rent of building for Court room.

SEC. 10. That this Act shall take effect immediately upon its approval.

When to take effect.

Approved December 23d, A. D. 1890.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF THE COUNTY OF PICKENS TO PAY TO MISS ALICE DAY THE SUM OF FORTY DOLLARS, IN PAYMENT OF TEACHER'S PAY CERTIFICATE DULY APPROVED BY THE SCHOOL COMMISSIONER OF SAID COUNTY, OUT OF THE FUNDS APPORTIONED TO SCHOOL DISTRICT No. ONE IN SAID COUNTY. No. 641.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1890. in General Assembly, and by the authority of the same, That
the County Treasurer of the County of Pickens do pay out of
 Payment the funds apportioned to School District No. One in said County
 ordered. for fiscal year commencing November 1st, 1889, to Miss Alice
Day the sum of forty dollars, for teacher's pay certificate now
held by her and duly approved.

Approved December 23d, A. D. 1890.

NOTE.—For Act relating to new road partly in Pickens County, see Act No. 526, ante p. 796.

No. 642. AN ACT TO AUTHORIZE THE CITY COUNCIL OF COLUMBIA, S. C.,
 TO ISSUE BONDS FOR THE PURPOSE OF IMPROVING THE
 WATER SUPPLY OF SAID CITY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Bonds authorized.	the Mayor and Aldermen of the City Council of Columbia, S. C., or their successors in office, be authorized and empowered to borrow money by issuing bonds to an amount not exceeding seventy-five thousand dollars, if so much be necessary, to pay for the erection of new water works, run by water power, including a
Amount.	new and larger pumping machine, the purchase and erection of filters, new piping, and such other improvements as are necessary or advisable to increase and improve the water supply of
Purposes of water supply, &c.	the city. The said bonds are to be for thirty years, with semi-annual coupons, interest at the rate of six per cent. per annum, and of such form, color and denominations as may hereafter be determined upon by the said Mayor and Aldermen of the City Council of Columbia, S. C.
Description of bonds.	

Mortgage of water works. SEC. 2. That for the purpose of securing the payment of said bonds, principal and interest, the Mayor and Aldermen of the City Council of Columbia, S. C., or their successors in office, are authorized and empowered to pledge, by way of mortgage, the water works of said city and all improvements made thereon, the lands and reservoirs appurtenant thereto, the entire plant and pipe system, and whatever is necessary to the complete working of the same or appurtenant thereto. The said mortgage to be of such form and conditions as they may hereafter

determine upon : *Provided*, The rights heretofore reserved by the State or vested therein shall in no way be affected thereby.

Approved December 20th, A. D. 1890.

A. D. 1890.
Proviso as
to rights of
State.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE BOARD OF TRUSTEES OF THE COLUMBIA CANAL, TO TRANSFER TO THE SAID BOARD THE COLUMBIA CANAL, WITH THE LANDS NOW HELD THEREWITH AND ITS APPURTENANCES, AND TO DEVELOP THE SAME," APPROVED DECEMBER 24TH, 1887. No. 643.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to incorporate the Board of Trustees of the Columbia Canal, to transfer to the said Board the Columbia Canal, with the lands now held therewith and its appurtenances, and to develop the same," approved December 24th, 1887, be, and is hereby, amended so as to read as follows :

A. A. 1887, § 3,
19 Stat., 1090,
amended.

SECTION 3. That in order to improve and develop the power of said canal for navigation, to furnish the City of Columbia with an adequate supply of water and other hydraulic purposes, they are authorized to construct a dam across Broad River at, above or below the head of the present canal, as by survey already made or hereafter to be made may be deemed advisable for the development of the said water power ; and in locating and constructing the said dam they shall have the right to raise the water in Broad River to such a height as will give a head and fall of thirty-seven feet at the South side of Gervais street at mean low water ; with the right to build all necessary banks, abutments and other structures on both sides of said river as may be required to complete the said canal ; and the right is hereby given to widen and deepen the said canal throughout its length, from its source at Bull's Sluice to the Congaree River, at or near the mouth of Rocky Branch, on the general line of the canal, with such deflections therefrom as to them may seem expedient for the better development of the said water power : *Provided*,

Section as
amended.

Purposes of
canal.

Dam.

Height of dam.

Banks, abut-
ments, &c.

Length and
course of canal.

- A. D. 1890.** That the canal be so enlarged as to carry a body of water one hundred and fifty feet wide at the top of the water, one hundred and ten feet wide at the bottom, and ten feet deep, and shall develop at least ten thousand horse-power at the South side of Gervais street: *Provided, further,* That for a distance of about fifty-three chains Southerly from the South line of Gervais street the minimum dimensions of said canal shall be one hundred and fifty feet width at normal level of the surface of the water in the canal when completed, one hundred and ten feet width at the bottom, and ten feet depth; thence Southerly for fourteen chains the canal shall be uniformly diminished so as to have the minimum dimensions at the Southerly end of said fourteen chains of one hundred and twenty feet width at normal level of the surface of the water in the canal when completed, eighty feet width at the bottom, and ten feet depth; and these latter minimum dimensions shall continue to the terminus of the canal, a distance of about sixty-seven chains: *Provided, further,* That suitable fishways for the free passage of fish be constructed in the said dam.
- Dimensions for 53 chains above Gervais street.**
- Dimensions of lower end.**
- Fishways.**
- Section 23 amended.** SEC. 2. That Section 23 of said Act be, and the same is hereby, amended so as to read as follows:
- Section as amended.** SECTION 23. That the said Board of Trustees, as soon as they have fully developed the said canal and secured the payment of the debts contracted by them in its development, they shall turn over the canal, with all its appurtenances, to the City of Columbia. But the said Board of Trustees shall have full power and authority, before the said canal has been fully developed and completed and turned over to the City of Columbia, to sell, alienate and transfer the same and all its appurtenances, the lands held therewith, and all the rights and franchises conferred by this Act on said Board of Trustees, to any person or corporation, subject, however, to all the duties and liabilities imposed thereby, and subject to all contracts, liabilities and obligations made and entered into by said Board prior to such sale and transfer, upon the approval and consent of nine members of the City Council of the City of Columbia; and before such sale, alienation and transfer is made, thirty days' notice of the offer to purchase and the terms thereof shall be given to the Council of the City of Columbia.
- Surrender to City.**
- Sale of canal authorized.**
- Duties and liabilities of purchaser.**
- Consent of City.**
- Notice of offers to buy.**

Approved December 24th, A. D. 1890.

AN ACT TO CONFIRM AND RATIFY THE ACTION OF THE CITY
OF COLUMBIA, S. C., IN ISSUING CANAL SCRIP AND TO
VALIDATE THE SAME.

A. D. 1890.

No. 644.

Whereas, the Mayor and Aldermen of the City of Columbia, S. C., by an ordinance entitled "An ordinance to raise funds to complete the canal, and thereby obtain sufficient power for the water works of the City of Columbia, S. C.," done and ratified the 24th day of June, 1890, did authorize and issue certificates of indebtedness to the amount of (\$35,000) thirty-five thousand dollars, a large part of which has already been sold and issued; *and whereas*, it is deemed advisable that their action thereon should be confirmed and ratified :

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the action of the Mayor and Aldermen of the City of Columbia, S. C., in their ordinance entitled "An ordinance to raise funds to complete the canal and thereby obtain sufficient power for the water works of the City of Columbia, S. C.," done and ratified the 24th day of June, 1890, be confirmed and ratified.

Issue of certificates of indebtedness confirmed.

SEC. 2. That the certificates of indebtedness to the amount of (\$35,000) thirty-five thousand dollars be validated, and in every respect be perfected as if the same had been authorized by an Act of the Legislature preceding said ordinance.

Certificates validated.

Approved December 23d, A. D. 1890.

AN ACT TO INCORPORATE THE COLUMBIA ELECTRIC STREET
AND SUBURBAN RAILWAY AND ELECTRIC POWER COM-
PANY. No. 645.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Milton H. French, M. L. Bonham, John S. Verner, J. Q. Marshall, and such other persons as they may associate with them, be, and they are hereby, created a body politic and corporate, by the name of the Columbia Electric Street and Sub-

Incorporation.

Name and powers.

- A. D. 1890.** **Urban Railway and Electric Power Company, with the power to sue and be sued in the Courts of the State of South Carolina; to have a common seal, with the right of alteration of the same, and to make by-laws for the government of said company.**
- By-laws.** **SEC. 2.** That the said company shall have power to raise a
- Capital stock.** capital stock of twenty-five thousand dollars, in shares of twenty-five dollars each, for the purposes contemplated, and may increase the same to the sum of one hundred and fifty thousand dollars, if a majority of the shareholders may deem it necessary.
- Organization.** The said company shall have power to organize and begin business when five thousand shall have been paid in.
- Property rights.** **SEC. 3.** That the said company shall have the power to purchase, hold and sell real and personal property for the purposes of its business.
- Liability of stockholders.** **SEC. 4.** That the personal liability of each shareholder shall not exceed five per cent. in addition to the amount of the share or shares he or she may hold.
- Street railway authorized.** **SEC. 5.** That the said company shall have power to construct or acquire single or double railway tracks, of such gauge as they may elect, through any street or streets of the City of Columbia, with consent of City Council, and to extend the same five miles into the country, in any direction or directions they may wish, from the State Capitol. And the said company is authorized
- With consent of City.** and empowered to contract for and provide electric motor power for any other purpose or purposes.
- Extensions.** **SEC. 6.** That said company shall have power to operate their cars in the transportation of passengers and freight over the tracks they may construct or acquire, in said city, with electric power, in suitable carriages, and at such rates as may be fixed upon in the by-laws of the same.
- Electric motors.** **SEC. 7.** That said company shall have power and authority to issue coupon bonds to an amount not to exceed its capital stock, the same to be redeemable at such time, not exceeding thirty years, as may be agreed upon by said company, and to bear interest at the rate of seven per cent. per annum, payable semi-annually; and for the purpose of securing said bonds so issued shall have the power to mortgage all the property, real and personal, rights and franchises of said company.
- Right of transportation.** **SEC. 8.** That this Act shall remain in force and continue for the period of thirty years: *Provided*, That said company begins to operate its railway in said city within five years.
- May issue coupon bonds.**
- Mortgages.**
- Duration.**
- Proviso.**

SEC. 9. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

A. D. 1890.

Repealing
clause.

Approved December 24th, A. D. 1890.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO INCORPORATE THE WORKINGMEN'S BUILDING AND LOAN ASSOCIATION OF COLUMBIA, S. C.,'" APPROVED FEBRUARY 14, 1878. No. 646.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That "An Act to incorporate the Workingmen's Building and Loan Association of Columbia, S. C.," approved February 14, 1878, be, and the same is hereby, amended by adding the following Section, to be known as Section seven of said Act:

A. A. 1878,
16 Stat., 357,
amended.

SECTION 7. That the Board of Directors of said association shall have power to issue a second series of the capital stock of said association, to consist of fifteen hundred shares, to be paid in by successive monthly installments of one dollar on each share so long as the corporation shall continue, the said shares to be held, transferred, assigned, and the holders thereof to be subject to such fines and forfeitures for defaults in their payment, according to such regulations as are now prescribed by the by-laws of said corporation: *Provided*, That this association shall not issue said second series of stock until at least two hundred and fifty shares have been subscribed; and when the said second series shall attain the value of two hundred dollars per share, the said Board of Directors shall have power to close up said series by paying off the unredeemed shares and canceling and returning the securities pledged for loans on the redeemed shares.

Additional
Section.

Second series
authorized.

Number of
shares required.

Close of second
series.

Approved December 24th, A. D. 1890.

A. D. 1890.
 No. 647.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE LAW FIXING THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF SPARTANBURG COUNTY AND THE CLERK OF SAID BOARD, AND OF THE COUNTY COMMISSIONERS OF THE COUNTIES OF CHESTER, GREENVILLE AND GEORGETOWN," APPROVED DECEMBER 24TH, A. D. 1885, SO FAR AS THE SAME RELATES TO THE COUNTY OF SPARTANBURG.

A. A. 1885, §1,
 19 Stat., 392,
 amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend the law fixing the compensation of the members of the Board of County Commissioners of Spartanburg County and of the Clerk of said Board, and of the County Commissioners of the Counties of Chesterfield, Greenville and Georgetown," approved December 24, 1885, be amended so as to read as follows:

Compensation
 to County Com-
 missioners.

That each member of the Board of County Commissioners of Spartanburg County shall be allowed compensation for his services at the rate of three dollars (3.00) per day and five cents per mile for necessary travel: *Provided*, The Chairman of said Board shall be allowed compensation for a time not exceeding one hundred and fifty days, and each of the other two members for a time not exceeding one hundred days: *Provided, further*, That the Clerk of said Board shall be allowed compensation for his services as such Clerk at the rate of two dollars per day: *Provided*, Said Clerk shall be allowed compensation for a time not exceeding one hundred and fifty days of the fiscal year ending 31st of October of each year, and to be paid quarterly by the Treasurer of the County, after approval by the Board of County Commissioners and upon their warrant being issued for the same.

Limit.
 Compensation
 to Clerk.

Limit.
 How paid.

Approved December 24th, A. D. 1890.

No. 648. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE AND PROVIDE FOR THE ERECTION OF A NEW COURT HOUSE FOR THE COUNTY OF SPARTANBURG," APPROVED DECEMBER 23D, 1889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That Section 7 of an Act entitled "An Act to authorize and provide for the erection of a new court house for the County of Spartanburg," approved December 23d, 1889, be, and the same is hereby, amended, so that said Section when amended shall read as follows :

A. D. 1890.

A. A. 1889,
§ 7, ante 584,
amended.

SECTION 7. That the said County Commissioners or their successors be, and they are hereby, given the right, if in their judgment it is best, instead of issuing bonds to build said court house, to levy upon all the taxable property of said County a tax, or several annual taxes, such as shall be sufficient to pay off in one or more installments (not exceeding five) the whole cost of the erection of said court house ; and in case said plan shall be adopted, then, and in such event, the said County Commissioners be, and they are hereby, authorized to borrow sufficient funds for the erection of same, to be repaid by the said tax so to be raised : *Provided*, That the said County Commissioners or their successors in office may at any time (if in their judgment it is best for the interests of said County) raise a part of the necessary funds for the purposes set out in this Act by borrowing money and repaying the same as provided by this Section, and raise the balance of said necessary funds by issuing bonds as provided by other Sections of this Act.

Section as
amended.Tax to pay for
court house.

Loans.

Bonds.

Approved December 24th, A. D. 1890.

AN ACT TO PROVIDE FOR TWO TRIAL JUSTICES AND TWO No. 649.
CONSTABLES IN THE CITY OF SPARTANBURG AND TO
FIX THEIR COMPENSATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, two Trial Justices shall be appointed for the City of Spartanburg, who shall reside in the said city and keep their offices therein. The said Trial Justices shall each receive a salary of one hundred and seventy-five dollars per annum in lieu of all other charges of whatsoever kind against the County or State, payable quarterly by the

Trial Justices
for Spartanburg
City.

Salary.

How paid.

A. D. 1890. County Treasurer upon a warrant issued from the Board of County Commissioners against such funds as may be on hand for such purpose, said salary to be paid after a verified quarterly report has been made to the said County Commissioners of all fees, costs and fines received, and that the same has been paid over to the County Treasurer.

Constables and their compensation. SEC. 2. That said Trial Justices shall each be allowed one Constable, who shall each receive a salary of one hundred and fifty dollars per annum, payable quarterly by the County Treasurer upon the warrant drawn by the Board of County Commissioners against any County funds available for that purpose, after they have been first qualified in writing faithfully to discharge their duties as such Constables, and the said Constable or Constables shall not receive any other sum of money for such service rendered by him or them in any criminal case under such employment or appointment, except as herein provided: *Provided*, That nothing herein contained shall prevent said Trial Justices in case of emergency from directing their warrants to the Sheriff of the County, who shall execute the same and be entitled in such cases to receive therefor the same fees as now allowed by law.

No other pay in criminal cases.

Sheriff and his fees.

Repealing clause.

SEC. 3. That all Acts or part of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

No. 650. AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE CITY OF SPARTANBURG TO ISSUE COUPON BONDS, REGISTERED OR UNREGISTERED, OF SAID CITY, FOR THE PURPOSE OF REFUNDING THE INDEBTEDNESS OF SAID CITY, AS THE SAME SHALL FALL DUE, UPON BONDS HERETOFORE ISSUED IN AID OF THE ATLANTA AND RICHMOND AIR LINE RAILWAY COMPANY, AND UPON BONDS ISSUED FOR THE PURPOSE OF IMPROVING AND REPAIRING THE STREETS OF SAID CITY, KNOWN AS IMPROVEMENT BONDS, OR TO BORROW MONEY TO PAY OFF SAID BONDS, AND TO PROVIDE FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST WHICH SHALL ACCRUE THEREON.

Preamble. *Whereas*, under and in accordance with the provisions of Statutes in such cases made and provided, the Town and City

Council of what is now the City of Spartanburg have at various times issued coupon bonds of said town and city in aid of the Atlanta and Charlotte Air Line Railway, and for the purpose of repairing and improving the streets of said city. *And whereas*, one installment of said bonds issued in aid of the Atlanta and Richmond Air Line Railway will become due on the first day of July, 1891, and other installments of bonds issued in aid of said company, as well as those issued for the purpose of repairing and improving the streets of said city, will soon fall due. *And whereas*, the said bonds are valid and legal demands against the said City of Spartanburg, and it is necessary to make provisions for refunding or paying the same; therefore,

A. D. 1890.

Coupons.

Bonds to be
issued to pay
bonds maturing

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of refunding said indebtedness of said City of Spartanburg upon bonds issued by the Town or City of Spartanburg in aid of the Atlanta and Richmond Air Line Railway Company or the purpose of repairing or improving the streets of said city, as each installment of said bonds shall fall or become due, the City Council of the City of Spartanburg or their successors in office be, and they are hereby, authorized and empowered to issue coupon bonds, registered or unregistered, of said city, in installments to an amount not exceeding the amount of bonds now outstanding against the said city; all of said bonds to bear interest at a rate not exceeding six per cent. per annum; said interest to be paid semi-annually, on the first day of July and the first day of January, respectively, of each and every year of the issuance thereof, and of each and every year thereafter, until the same shall fall due, the principal of said bonds to be payable not more than thirty years from the date thereof. The amount of the several installments of said bonds authorized to be issued shall in no case exceed the amount due or falling due, respectively, for the refunding of which the same shall be issued: *Provided, further*, The City Council of said city may, if they deem it best for the interest of said city, make said bonds non-taxable for municipal or city purposes, and they shall have the right further to issue registered or unregistered coupon bonds as they may deem proper.

Amount and
description.

Limit.

May be non-
taxable.
Registered or
unregistered.

SEC. 2. That said bonds, or the proceeds thereof, shall be used exclusively by the said City Council of the said city in paying off the bonds due or falling due for the refunding of which,

Use of pro-
ceeds to pay
bonds, &c.

- A. D. 1890.** respectively, same shall be issued, and in paying expenses of issuing and floating the same.
- Tax to pay interest.** SEC. 3. That for the purpose of paying the interest on the bonds hereinbefore authorized to be issued, the City Council of said city, or their successors in office, shall each year levy a tax to be known as bond tax, which shall be collected according to the law governing the collection of taxes in said city.
- Loans authorized.** SEC. 4. That should the City Council of said city, or their successors in office, deem it advisable, or for the interest of said County, to borrow money and pay off said indebtedness, or any part of it, as said bonds fall due, and not issue the bonds authorized to be issued in Section 1 of this Act for refunding the same, that they be, and are hereby, authorized and empowered
- How secured.** to borrow such sum or sums of money as may be necessary for that purpose, and to execute the obligation of the city therefor: *Provided*, The amount to be borrowed for any installment of
- Limit.** bonds shall not exceed the amount of bonds then falling due, and the whole amount so borrowed shall never exceed, at any time, the whole amount of said bonds then outstanding against
- Rate of interest.** the said city, and the rate of interest shall not exceed seven per cent. per annum.
- Repealing clause.** SEC. 5. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.
- When to take effect.** SEC. 6. That this Act shall go into effect immediately upon its approval.

Approved December 24th, A. D. 1890.

No. 651. AN ACT TO AUTHORIZE THE CITY COUNCIL OF SPARTANBURG TO ORDAIN THE NECESSARY ORDINANCES FOR THE ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF A SYSTEM OF SEWERAGE IN THE CITY OF SPARTANBURG, AND TO ISSUE BONDS FOR THE PURPOSE OF THE ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF SUCH SYSTEM.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of Spartanburg, in addition to the powers now

vested in them by law, be, and they are hereby, authorized to pass all necessary ordinances, rules and regulations for the establishment, construction and maintenance and enforcement of a system of sewerage in the streets, private lots and dwellings in the City of Spartanburg, and beyond its limits, if it be necessary.

A. D. 1890.

Sewerage system to be established.

SEC. 2. That the said City Council be, and they are hereby, authorized to contract with any person or corporation for the establishment, building, maintenance and use of a system of sewerage works in said city, and to pass all necessary ordinances, rules and regulations for the enforcement of the same.

Contract for sewerage.

SEC. 3. That the officers and other persons who may be appointed to execute the provisions of such ordinances, rules and regulations shall, as far as may be necessary for the performance of their respective duties, have the right to enter any building or premises in said city between the hours of 9 A. M. and 5 P. M.

Regulations.

Right to enter buildings and premises.

SEC. 4. That for the purpose of establishing, constituting and maintaining a system of sewerage in the said City of Spartanburg, the said city, by its City Council, is hereby permitted and authorized to issue (\$50,000) fifty thousand dollars of six per cent. coupon bonds, or so much thereof as in their judgment may be necessary, payable thirty years from their date, said interest upon said bonds to be paid semi-annually, upon the first day of July and the first day of January: *Provided*, That a majority of the qualified electors of said city shall vote in favor of such issue at an election to be held for that purpose as hereinafter provided.

Coupon bonds authorized.

Amount and description.

If approved by electors.

SEC. 5. That upon a petition presented to them by one-third of the real estate owners of said city to submit to the qualified electors thereof the question of the issue of said sewerage bonds in an amount to be therein specified, not exceeding fifty thousand dollars, the City Council of said city are hereby required to give at least three weeks' notice, by advertisement in one or more of the papers of said city, of the time and place of an election upon said issue, and of the names of Managers appointed by them to conduct the election. Registration shall not be required as a qualification of an elector. At such election those of said electors voting in favor of the issue of said bonds shall cast ballots with the words "Sewerage Bonds—Yes" written or printed thereon, and those opposed ballots with the words "Sewerage Bonds—No," written or printed thereon.

Petition for election.

Question submitted to an election.

No registration.

Form of ballots.

A. D. 1890.
 Coupons re-
 ceivable for
 taxes.

Tax levy.

SEC. 6. That the coupons of said bonds shall be receivable for all taxes in said city ; and for the purpose of paying the interest on said bonds semi-annually, as hereinbefore provided for, and the principal when due, it shall be the duty of said City Council to levy and collect the necessary amounts upon the real and personal property in said city.

Approved December 24th, A. D. 1890.

No. 652. AN ACT TO PROTECT THE WATER SUPPLY OF THE SPARTANBURG WATER WORKS COMPANY.

Purity of water protected. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in order that the water supplied by the Spartanburg Water Works Company under its contract with the City of Spartanburg (which contract is hereby confirmed) shall be protected from impurities, it shall be unlawful for any person or persons to place or deposit, or cause to be placed or deposited, any garbage, refuse, filth, or any impure or injurious substance, whereby water may be contaminated or rendered impure, in any place where any part or element of any of such substances may be washed or drained into the stream or streams supplying said water at any point thereof for the distance of two miles from the engine house of said company.

Within two
 miles of Water
 Works.

Penalties for
 violations.

When to take
 effect.

SEC. 2. Any person or persons who shall violate, or cause to be violated, the foregoing Section shall, for each and every offense, be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten nor more than one hundred dollars, or imprisoned not less than five nor more than thirty days.

SEC. 3. That this Act shall take effect immediately upon and after its approval.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF DUNCAN, IN SPARTANBURG COUNTY.

A. D. 1890.
No. 653.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States and this State who now are or hereafter may be inhabitants of the Town of Duncan shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Duncan, and the limits shall extend one-half mile in every direction from the depot known as the Richmond and Danville Railroad Company Depot.

Incorporation.

Name and limits.

SEC. 2. Said Town of Duncan shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1885.

Rights and limitations.

19 Stat., 174.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Public Act.
Duration.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the Town of Duncan, in the County of Spartanburg; and the sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said town is hereby prohibited; and any one violating this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned in the discretion of the Court.

Sale of liquors prohibited.

Penalty.

SEC. 5. This Act shall take effect immediately upon its approval.

When to take effect.

Approved December 24th, A. D. 1890.

A. D. 1890.

No. 654.

AN ACT TO CREATE A NEW SCHOOL DISTRICT IN SPARTANBURG COUNTY, TO BE KNOWN AS THE WELLFORD SCHOOL DISTRICT, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAL LOCAL TAX THEREIN.

Area of Well-
ford School Dis-
trict.

Creation and
name.

Incorporation
and powers.

Special school
tax.

Meeting of
taxpayers.

Notice of meet-
ing.

Powers of
meeting.

Additional tax.

Proviso.

To select
Board of Trus-
tees.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of that area in the Township of Beech Springs, in the County of Spartanburg, embraced in the following circle, to wit: Having the Richmond and Danville Railroad depot of the Town of Wellford as a centre, and embracing an area described by the radius of two and one-half miles from such centre, be, and the same is hereby, created a special School District in the County of Spartanburg, to be known as the Wellford School District.

SEC. 2. That said School District is hereby declared to be a body politic and corporate, with all the rights, powers, privileges and liabilities as are provided for School Districts by the General School Law of South Carolina.

SEC. 3. That in addition to the rights and privileges hereinbefore granted, the said School District shall have power to levy on all real and personal property returned in said District a tax not exceeding two mills on the dollar, subject to following provision: The School Trustees shall have at any time previous to the 30th day of June of each year, upon the written request of five property holders, issue a call for a public meeting (after two weeks' notice) of all those citizens who return real or personal property in said District, and said notice shall be published in at least one newspaper and posted in two public places in said District for at least two weeks before such meeting, and shall specify time and place and object of said meeting.

SEC. 4. That when the persons answering the above description shall have assembled in public meeting, they shall have power: First. To select a Chairman and Secretary, adjourn from time to time, decide what additional tax, if any, shall be levied, and appropriate the same in such manner as they may think best for the educational interests of said School District: *Provided*, That no tax thus levied shall be repealed at any subsequent meeting within the same year. Second. That they shall also have power to select (subject to the approval of the Board of Examiners for Spartanburg County) a Board of five Trustees for said School District, whose term of office shall be for two years from date of election, and who, in addition to the

duties and responsibilities now provided by law for Trustees of School Districts, shall have the following powers and duties : 1. To purchase or erect suitable buildings for the use of the public schools of said School District. 2. To elect and dismiss Superintendents and teachers of the city schools, prescribe their duties, terms of office and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary, also to determine the class books and studies to be used in said schools, and to make rules and regulations for the government of said schools. 3. To determine the manner in which the tax heretofore authorized (and the two mills Constitutional and poll tax provided by law) shall be expended in maintaining said public schools ; and, 4. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise during their term of office or service.

A. D. 1890.

Term and
duties.

SEC. 5. That it shall be the duty of the Chairman and Secretary of said public meeting, within one week after said meeting has been held, to notify the Chairman of the Board of Trustees for said School District and the Auditor of said County of the amount of the tax thus levied and how it has been appropriated ; and the County Auditor shall at once assess such tax on all real and personal property returned in said School District, and the County Treasurer shall collect the same with the State and County taxes ; and such tax shall be a lien upon all property until paid, and defaulting taxpayers shall be liable to like process and penalties as defaulters for State and County taxes.

Notification,
assessment and
collection of tax

Lien for taxes.

Defaulters.

SEC. 6. That the money collected from said tax levy and the Constitutional poll and two mill tax to which the said District is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said School District, countersigned by the County School Commissioner ; and said Treasurer shall be liable to said School District for the non-performance of his duty in respect to said money in same manner and to same extent and under like penalties as for non-performance of his duties in reference to State and County taxes : *Provided*, That the School Commissioner of said County and the Trustees of said School District be, and they are hereby, authorized to apply for the fiscal year commencing Nov. 1st, 1890, so much of said money as may be necessary for the purchase or erection of suitable buildings for said public schools.

Disbursement
of school funds.Liability of
Treasurer.

Buildings.

SEC. 8. That the School Trustees now in charge of the School District of Spartanburg County in which the new District is

Existing Board
continued.

A. D. 1890. located are hereby authorized and required to act until the election of the Trustees provided for in this Act.

When to take effect.

Repealing clause.

SEC. 9. That this Act shall take effect from the date of its passage, and that all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved December 24th, A. D. 1890.

No. 655. AN ACT TO CHANGE THE NAMES OF DOCTOR FRANKLIN QUEEN AND ROLLING WALTER QUEEN OF SPARTANBURG COUNTY TO DOCTOR FRANKLIN RAY AND ROLLING WALTER RAY, AND ENABLE THEM TO INHERIT FROM A. D. RAY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That **Names changed.** the names of Doctor Franklin Queen and Rolling Walter Queen of Spartanburg County be, and the same are hereby, changed to Doctor Franklin Ray and Rolling Walter Ray, and that in case the said A. D. Ray shall die intestate the said Doctor **Made capable to inherit.** Franklin Ray and Rolling Walter Ray shall inherit from him in the same manner as if they had been born his legal heirs.

Approved December 24th, A. D. 1890.

No. 656. AN ACT TO AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BISHOPVILLE, IN SUMTER COUNTY," APPROVED DECEMBER 24TH, A. D. 1888.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That **A. A. 1888, § 2, ante 230, amended.** Section 2 of an Act entitled "An Act to incorporate the Town of Bishopville, in Sumter County," approved December 24th, 1888, be amended by inserting at the end of said Section the

following: And in addition thereto the Intendant and Wardens of the Town of Bishopville shall have the following rights, powers and privileges, namely: They may impose such a license fee or such license fees as may be deemed reasonable, and may require the payment thereof in advance, upon any business, trade, profession or calling carried on within the said town, whether the same be of a permanent or transient nature; they may prescribe fines and penalties for the non-payment of such annual taxes as they may be permitted by law to impose upon the real and personal property within said town; they may make such by-laws and ordinances as may be necessary to carry into effect the rights, powers and privileges conferred upon them by law; and they may prescribe and fix the punishment by fine or imprisonment for the violation of all such by-laws or ordinances as they may be permitted by law to make, but no fine shall exceed fifty dollars, and no term of imprisonment shall exceed thirty days. The Intendant of said Town of Bishopville (or in his absence, or in case of his inability to act, any one of the Wardens of said town) may try all persons charged with the violation of any by-laws or ordinances of said town, and may impose the punishment therefor—saving to the party convicted the right in all cases of appeal to the Circuit Court of Sumter County; but, as a condition to the right of said appeal, the appellant shall execute to the Clerk and Treasurer of said town an undertaking, with sufficient surety or sureties, in such a sum as may be deemed reasonable, to be fixed by the Intendant, conditioned that he will prosecute his appeal in the Circuit Court and abide by the judgment thereof. The powers conferred by law upon the Town Council of said town may be exercised by the Intendant and any two of the Wardens in Council assembled. So that said Section when so amended shall read as follows:

SECTION 2. Said Town of Bishopville shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885. And in addition thereto the Intendant and Wardens of the Town of Bishopville shall have the following rights, powers and privileges, namely: They may impose such a license fee or such license fees as may be deemed reasonable, and may require the payment thereof in advance,

A. D. 1890.

Additional provisions.

Section as amended.

Rights and limitations.

19 Stat., 174.

Other powers of Council.

License tax.

A. D. 1890.	upon any business, trade, profession or calling carried on within the said town, whether the same be of a permanent or transient nature ; they may prescribe fines and penalties for the non-payment of such annual taxes as they may be permitted by law to impose upon the real and personal property within said town ;
Fines for non-payment of taxes.	
By-laws and ordinances.	they may make such by-laws and ordinances as may be necessary to carry into effect the rights, powers and privileges conferred upon them by law ; and they may prescribe and fix the punishment by fine or imprisonment for the violation of all such by-laws or ordinances as they may be permitted by law to make,
Limit to punishment.	but no fine shall exceed fifty dollars, and no term of imprisonment shall exceed thirty days. The Intendant of said Town of Bishopville (or in his absence, or in case of his inability to act,
Trial of offenders.	any one of the Wardens of said town) may try all persons charged with the violation of any by-laws or ordinances of said town, and may impose the punishment therefor—saving to the
Right of appeal.	party convicted the right in all cases of appeal to the Circuit Court of Sumter County ; but, as a condition to the right of said appeal, the appellant shall execute to the Clerk and Treas-
Undertaking on appeal.	urer of said town an undertaking, with sufficient surety or sureties, in such a sum as may be deemed reasonable, to be fixed by the Intendant, conditioned that he will prosecute his appeal in the Circuit Court and abide by the judgment thereof. The
Powers of Council.	powers conferred by law upon the Town Council of said town may be exercised by the Intendant and any two of the Wardens in Council assembled.

Approved December 24th, A. D. 1890.

No. 657. AN ACT TO ESTABLISH A SPECIAL SCHOOL DISTRICT IN SUMTER COUNTY, TO BE KNOWN AS THE "GRADED SCHOOL DISTRICT OF THE TOWN OF BISHOPVILLE," AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the area or territory in Sumter County embraced within the fol-

lowing boundary, to wit, all that territory now a part of Bishopville Township, beginning at a point on Lynch's River on line now dividing Bishopville and Mt. Clio Townships, thence down said dividing line to the point where said line joins the line between Carter's Crossing Township and Bishopville Township, thence down said line to where said line crosses the public road leading from Bishopville to the City of Sumter, S. C., thence diagonally to a point on the Bishopville and Camden public road two and one-half miles from the Town of Bishopville, said point to be determined by a competent surveyor, to be appointed by the Board of Examiners of Sumter County, thence to a point on Lynch's River three miles from Mt. Clio line, thence down said river to the Mt. Clio line or starting point, be, and the same is hereby, created a special School District, to be known as the "Graded School District of the Town of Bishopville," and shall be a body politic and corporate, with such rights, powers, privileges and liabilities as are provided in School Districts by the laws of this State.

A. D. 1890.
Area of Bishopville School District.

Name, incorporation, powers, &c.

SEC. 2. That R. E. Dennis, A. C. Durant, J. L. Parrott, R. E. Carnes and W. R. Law, and their successors in office, be, and they are hereby, constituted and appointed a Board of Trustees for said School District, and they shall each hold said office of Trustees for the term of two years and until their successors are appointed; and the County School Examiners of Sumter County shall fill all vacancies that may occur in said Board of Trustees from death, resignation, removal from the bounds of the School District or otherwise, and shall also appoint the School Trustees for said School District every two years thereafter: *Provided*, That no person shall be eligible to the office of Trustee who is not a patron of said school.

Board of Trustees.

Vacancies.

New Trustees.
Eligibility.

SEC. 3. That the said School District and the Trustees thereof shall be entitled to all the rights, powers and privileges, and be subject to all the restrictions and liabilities, that are contained and enumerated in an Act entitled "An Act to provide for the establishment of separate School Districts in the several cities, incorporated towns and villages in this State, to authorize the levy and collection of special taxes therein, and to authorize the levy and collection of special taxes in the several School Districts now formed or hereafter to be formed outside of cities, incorporated towns and villages," approved December 24th, 1888: *Provided*, That the limit to the levying of a tax in said School

Rights and Limitations.

Ante 49.

Limit to additional tax.

A. D. 1890.

When to take
effect.

District be extended to a tax not exceeding four mills, instead of two mills, as mentioned in Section 3 of the last named Act.

SEC. 4. That this Act shall go into effect immediately after its approval.

Approved December 24th, A. D. 1890.

No. 658. AN ACT TO INCORPORATE THE TOWN OF SANTUC, UNION COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or may hereafter be inhabitants of the Town of Santuc shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Santuc, and the limits shall extend one-half mile in every direction from the passenger depot of the Richmond and Danville Railroad in said town.

Incorporation.

Name and
limits.

Rights and
limitations.

19 Stat., 174.

SEC. 2. That said Town of Santuc shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved Dec. 23d, A. D. 1885.

Sale of liquor
prohibited.

SEC. 3. That it shall be unlawful for any druggist, apothecary or other person, upon the prescription of a physician or otherwise, to sell or systematically give away wine, malt or spirituous liquors, or any bitters, or any medicated liquors, within the corporate limits of the Town of Santuc, and any person selling, bartering or systematically giving away such wines, malt or spirituous liquors, or any bitters, or any medicated liquors, shall be deemed guilty of a misdemeanor, and shall be punished by fine or imprisonment, or both, within the discretion of the Circuit Judge.

Penalties.

Public Act.

Duration.

SEC. 4. That this Act shall be a public Act, and shall continue in force for fourteen years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Approved December 24th, A. D. 1890.

NOTE.—For Act relating to term of service of jurors in Union County, see Act No. 508, ante p. 858.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHANGE THE NAME OF THE TOWN OF GRAHAM, IN THE COUNTY OF WILLIAMSBURG, TO LAKE CITY," APPROVED DECEMBER 24TH, A. D. 1883, BY ADDING THERETO TWO SECTIONS, TO BE KNOWN AS SECTIONS 2 AND 3 RESPECTIVELY. A. D. 1890.
No. 659.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to change the name of the Town of Graham, in the County of Williamsburg, to Lake City," approved December 24th, 1883, be, and the same is hereby, amended by adding thereto the two following Sections, to be known as Section 2 and Section 3 respectively, to wit: A. A. 1883,
18 Stat., 445,
amended.

SECTION 2. That the Intendant and Wardens for said town, after the election to be held on the first Monday in April of the year 1891, shall be elected on the first Monday in December in each year, five days' public notice thereof being previously given: *Provided*, That the first election to be held under this Act shall be held on the first Monday in December, 1891: *And provided, further*, That the term of office of the Intendant and Wardens elected on the first Monday in April, 1891, shall expire upon the thirty-first day of December, 1891, and that in each succeeding year the term of office of the said officers shall expire on the last day of the year, so that the officers elected on the first Monday of December of each year shall qualify during the month of December and take charge of the municipal affairs of said town on the first day of each year. But if from any cause the newly elected officers in any year shall fail to qualify by the first day of the next January, then the officers of the previous year shall hold over until their successors shall have qualified. Election of In-
tendant and
Wardens.

First election.

Term of office.

When to qualify

Holding over.

SECTION 3. That all parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing
clause.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF TRIO, IN WILLIAMSBURG COUNTY. No. 660.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

- A. D. 1890.**
Incorporation. in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the Town of Trio, in Williamsburg County, in this State, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Trio, and the limits of said town shall embrace an area of one-half mile square, the depot at the railroad now situate in said town being the centre of said square.
- Name and limits.**
- Rights and limitations.** SEC. 2. Said Town of Trio shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885, that are not inconsistent with this Act.
- 19 Stat., 174.**
- Days of election.** SEC. 3. That the election for Intendant and Wardens of said town shall be held on the first Tuesday in March in each year, until otherwise provided by law.
- Managers of first election.** SEC. 4. That for the purpose of the first election for Intendant and Wardens of said town, James Bryan, J. W. Register and T. G. McDonald be, and they are hereby, appointed Managers to conduct said election, and the said Managers shall give ten days' public notice of such election by posting same in three conspicuous places in said town or by publication in some newspaper published therein.
- Notice to be given.**
- Sale of liquors prohibited.** SEC. 5. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town.
- Public Act.** SEC. 6. This Act shall be a public Act, and shall continue in force for thirty years from the date of its approval.
- Duration.**
- When to take effect.** SEC. 7. This Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1890.

NOTE.—For Act relating to survey of boundary line between Florence and Williamsburg Counties, see Act No. 573, *ante* p. 858.

For Act relating to transfer of certain Probate Court Actions, &c., to Florence County, see Act No. 574, *ante* p. 859.

No. 661. AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE COUNTY OF YORK.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That the traffic in seed cotton, by purchase, barter or exchange, in the County of York within the periods hereinafter named without license is hereby prohibited.

A. D. 1890.

Traffic prohibited without license.

SEC. 2. That the Clerk of the Court of Common Pleas for the County of York be, and is hereby, authorized and empowered to issue licenses to traffic in seed cotton by purchase, barter or exchange within the period beginning the 15th of August and ending 15th day of March of each year, to such person or persons as shall file with said Clerk a written application therefor, the granting of which shall be recommended by at least ten land owners resident within the township wherein said applicant intends to do business. Such license shall specify the exact place whereat the said business shall be carried on, and the period within which such traffic is permitted, and shall continue in force for the space of one year from the date of issue; and for such license, if granted, a fee of five hundred dollars shall be paid by the applicant to the County Treasurer for the use of the said County.

Clerk of Court to issue licenses

For what term.

On approved application.

Requisites of license.

License fee.

SEC. 3. That any person who shall hereafter traffic in seed cotton, by purchase, barter or exchange, without first having obtained a license as above provided, shall be guilty of a misdemeanor, and on conviction shall be punished for each offense by a fine of not less than one hundred dollars, or by imprisonment of not less than one year, or by both fine and imprisonment, within the discretion of the Court.

Penalties for traffic without license.

SEC. 4. That any person to whom license to traffic in seed cotton may be granted shall keep at said place of business a book in which shall be entered the date of every purchase, from whom purchased, and the quantity purchased, which book shall always be open to inspection of persons applying therefor; and any person to whom a license may be granted, as herein provided, failing to comply with the requirements of this Section, shall, on conviction, be liable to the penalties specified in Section 3.

Book of purchases.

To be open to inspection.

SEC. 5. That nothing herein contained shall be construed to repeal or in any wise modify the provisions of Section 2518 of the General Statutes.

Gen. Stat., §2518

SEC. 6. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

Approved December 24th, A. D. 1890.

A. D. 1890.
AN ACT TO AMEND THE CHARTER OF THE TOWN OF HICKORY GROVE, IN YORK COUNTY.
 No. 662.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the Town of Hickory Grove, in York County," approved December 24th, 1888, be amended by striking out the words "and the Town Council of said town shall have power to grant license for the sale of wine, spirituous and malt liquors within the incorporate limits thereof: *Provided*, That no such license shall be granted for a less sum than five hundred dollars per annum." So that said Section as amended shall read as follows:

Section 2 as amended.

Rights and limitations.

19 Stat., 174.

Additional Sections.

Sale or gift of liquor prohibited.

Penalties.

Regulations by Council.

When to take effect.

Repealing clause.

SECTION 2. That the said town shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 25, 1885.

SEC. 2. That the following Sections be added to said Act, to be known as Sections 3 and 4:

SECTION 3. That it shall be unlawful for any druggist, apothecary or other person, upon the prescription of a physician or otherwise, to sell or systematically give away wine, malt or spirituous liquors, or any bitters of which whiskey or intoxicating liquors form an ingredient, within the incorporate limits of the Town of Hickory Grove; and any person selling, bartering or systematically giving away any such wine, malt or spirituous liquors, or any bitters, shall be deemed guilty of a misdemeanor, and shall be punished by fine or imprisonment, or both, within the discretion of the Circuit Judge. And, furthermore, the Town Council of said town are hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties, to enforce the observance and punish any or all violations of the provisions of this Section.

SECTION 4. That this Act shall take effect immediately upon its approval, and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

AN ACT TO AUTHORIZE THE TOWN COUNCIL OF FORT MILL
TO ISSUE BONDS FOR THE PURPOSE OF DEFRAYING EX-
PENSES ALREADY INCURRED IN THE ERECTION OF A TOWN
HALL, AND FOR THE PURPOSE OF IMPROVING THE STREETS
OF THE TOWN OF FORT MILL, AND TO PROVIDE FOR THE
PAYMENT OF THE INTEREST ACCRUING THEREON.

A. D. 1890.
No. 663.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
the Town Council of Fort Mill shall have the power, and they
are hereby authorized, to issue bonds of said town to the amount
of one thousand dollars for the purpose of defraying expenses
already incurred in the erection of a town hall, and for the pur-
pose of improving the streets of said town ; said bonds to be of
such denomination as to the Town Council of said town shall
seem best, and to be made payable in ten years, with interest
payable annually at the rate of seven per centum per annum.

Issue of bonds
authorized.

Purposes.

Description.

Application of
proceeds.

SEC. 2. That the money arising from the sale or hypotheca-
tion of said bonds shall be used exclusively for the purposes set
out in Section 1 of this Act, and to this end shall be expended
under the direction and control of said Town Council.

SEC. 3. That the Town Council shall annually, at such place
as they may fix and determine, pay the interest due on said
bonds ; and for this purpose the Town Council, in addition to
the powers already conferred, shall be, and they are hereby,
authorized and required to levy such tax upon the real and per-
sonal property assessed for taxation in the said town as may be
deemed necessary to pay the interest on said bonds which may
become due in each and every year until the whole of said bonds
be paid.

Annual inter-
est.

Tax levy.

SEC. 4. That this Act shall take effect immediately upon its
approval.

When to take
effect.

Approved December 24th, A. D. 1890.

AN ACT TO INCORPORATE THE TOWN OF NEW PORT, IN YORK No. 664.
COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting

<p>A. D. 1890.</p> <p>Incorporation.</p>	<p>in General Assembly, and by the authority of the same, That all citizens of the United States and of this State who now are or hereafter may be residents of this State for one year and of the Town of New Port, in York County, for sixty days, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known and called by the name of New Port, and the corporate limits of said town shall extend one-half of a mile in each and every direction from W. H. Taylor's store, with said Taylor's store as a centre.</p>
<p>Name and limits.</p> <p>Rights and limitations.</p> <p>19 Stat., 174.</p> <p>First election.</p>	<p>SEC. 2. That the said town shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1885. The first election for Intendant and Wardens of said town shall be held on the 2d day of January, 1891, between the hours of 9 A. M. and 4 P. M., and W. H. Taylor, Samuel Roddy and A. T. Neely are hereby appointed Commissioners to hold said election, count the votes and declare the result.</p>
<p>Sale of liquor prohibited.</p> <p>Penalties.</p>	<p>SEC. 3. That it shall be unlawful for any druggist or other person to sell any spirituous or malt liquors, or any medicated liquors of which spirituous liquors form an ingredient, within the incorporate limits of said town, upon the prescription of a physician or otherwise ; and any and all persons violating the provisions of this Section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine or imprisonment, or both, within the discretion of the Court ; and the Town Council of said town is hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties, to enforce the observance and punish all violations of the provisions of this Section.</p>
<p>Regulations by Council.</p> <p>Public Act.</p> <p>Duration.</p>	<p>SEC. 4. That this Act shall be deemed a public Act, shall go into effect from the date of its approval, and shall continue of force for a period of thirty years, and until the final adjournment of the General Assembly next thereafter.</p> <p>Approved December 24th, A. D. 1890.</p>

AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF BLACKSBURG TO ISSUE ADDITIONAL BONDS FOR ERECTING SCHOOL BUILDINGS, AND FOR EDUCATIONAL PURPOSES WITHIN THE TOWN OF BLACKSBURG, AND TO PROVIDE FOR THE PAYMENT OF THE INTEREST ACCRUING THEREON. (1)

A. D. 1890.
No. 665.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Blacksburg be, and the same is hereby, authorized to issue additional bonds of said town to the amount of seven hundred and fifty dollars; and for this purpose the said Town Council is hereby invested with all the rights and powers conferred upon it by an Act entitled "An Act to authorize the Town Council of Blacksburg to issue bonds for the purpose of purchasing lands and buildings, and of erecting buildings and other improvements for educational purposes within the Town of Blacksburg, and to provide for the interest accruing thereon," approved December 22, A. D. 1888, and said bonds, when issued, shall be of the same kind and series and payable in same time and manner as the bonds authorized to be issued under the provisions of said Act.

Additional
bonds author-
ized.

Ante 941.

Description, &c.

SEC. 2. That this Act shall go into effect immediately after its approval.

When to take
effect.

Approved December 23d, A. D. 1890.

(1) This Act was passed in duplicate; but as the two are exactly alike except that the one not printed was approved one day later, only this one is printed.—EDITOR.

AN ACT TO AUTHORIZE AND REQUIRE THE TOWN COUNCIL OF ROCK HILL TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING LAND AND ERECTING HOUSES FOR SCHOOL PURPOSES WITHIN THE TOWN OF ROCK HILL AND PROPERLY FURNISHING THE SAME, AND TO PROVIDE FOR THE INTEREST ACCRUING THEREON. No. 666.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1890.	
Issue of bonds authorized.	the Town Council of Rock Hill shall have power, and are hereby authorized and required, upon the petition of a majority of freehold voters of said town, to issue bonds of said town to the amount of not less than three nor exceeding seven thou-
Limit and purposes.	sand dollars for the purpose of purchasing land and erecting houses for school purposes within the Town of Rock Hill and properly furnishing the same within the corporate limits of
Description of bonds.	said town, said bonds to be issued in such denomination as said Town Council may deem best and to be payable within twenty years, with interest at the rate of six per centum per annum, payable annually; and the coupons for said interest, when due, to be receivable in payment of all taxes levied by or due to said town: <i>Provided</i> , That a majority of the votes cast by the qualified voters of said town, in an election to be held for the purpose, shall be in favor of such issue of bonds.
Coupons receivable for taxes.	
If electors approve.	
Election regulated.	SEC. 2. That the Town Council of the Town of Rock Hill are hereby required to hold an election on the question of said issue of bonds prior to the first day of October, 1891, after two weeks' notice in one or more newspapers, and the Town Council shall appoint the Managers, receive the returns and declare the result.
Use of proceeds.	SEC. 3. That the money arising from the sale or hypothecation of said bonds shall be used exclusively for the purposes set forth in Section 1 of this Act, and to these ends shall be expended under the direction and control of the said Town Council and the Trustees of the Rock Hill School District on such grounds within said town as said Trustees may select: <i>Provided</i> , That the title to such property shall be made to the Town of Rock Hill, subject to the condition, however, that the same shall always be used for educational purposes, and under the exclusive management and control of the Board of Trustees of the Rock Hill School District.
Title to property and its uses	
Annual interest.	SEC. 4. That the Town Council of Rock Hill shall annually, at such time as they may fix and determine, pay the interest due on said bonds; and for this purpose the said Town Council, in addition to the power already conferred, shall be authorized and required annually to levy such taxes upon the real and personal property assessed for taxation in said town as may be deemed necessary to pay the interest of the said bonds which may become due in each and every year, until the whole of said bonds shall be paid.
Tax levy.	

SEC. 5. That this Act shall go into effect from the date of its passage, and that all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1890.

A. D. 1890.

When to take
effect.
Repealing
clause.

AN ACT TO CREATE A NEW SCHOOL DISTRICT IN YORK COUNTY, No. 667.
TO BE KNOWN AS THE BETHESDA SCHOOL DISTRICT, AND
TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAL
LOCAL TAX THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of that area in the Township of Bethesda, in the County of York, embraced in the following boundaries, to wit: Beginning at a point established on bank of Fishing Creek on lands of Thomas Boggs, and running thence N. 73 E. 144.50 chains to pile of stones on land of B. F. Rawlinson; thence S. 23 E. 240 chains to haw bush on land known as McCant's land; thence S. 67 W. 345.50 chains to pile of stones on land of Mrs. A. P. Harris; thence N. 9 E. 78.00 chains to stone on land of Mrs. Mary Byers; thence N. 6 W. 185 chains to rock on Johnston's land; thence N. 67 E. 35 chains to Fishing Creek at corner of Adkins and Johnston's land, and thence with the meanderings of Fishing Creek to the beginning, be, and the same is hereby, created a Special School District in the County of York, to be known as the Bethesda School District.

Area of School
District.

Creation and
name.

SEC. 2. That said School District is hereby declared to be a body politic and corporate, with all the rights, powers, privileges and liabilities as are provided for School Districts by the General School Law of South Carolina, and also with all the rights, powers, privileges and liabilities as are provided for and conferred in an Act entitled "An Act to provide for the establishment of separate School Districts in the several cities, incorporated towns and villages in this State, to authorize the levy and collection of special taxes therein, and to authorize the levy and collection of special taxes in the several School Districts now formed, or hereafter to be formed, outside of cities, incorporated towns and villages," approved December 24th, 1888.

Incorporation,
rights and li-
abilities.

Ante 49.

Approved December 24th, A. D. 1890.

A. D. 1890. **AN ACT FOR THE ESTABLISHMENT OF A SEPARATE SCHOOL DISTRICT IN THE COUNTY OF YORK, TO BE KNOWN AS "THE SHILOH SCHOOL DISTRICT," AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.**
 No. 668.

Area of School District.

Creation and name.

Incorporation, rights and liabilities.

Ante 49.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of that territory lying with the limits of a square the centre whereof is Shiloh Church, in York County, and each side whereof is four miles, and running North, South, East and West, be, and the same is hereby, created a separate School District in said County, to be known as the Shiloh School District.

SEC. 2. That said School District is hereby created a body politic and corporate, with all of the rights, powers, privileges and liabilities as are provided for School Districts by the General School Law of South Carolina, and as are set forth in an Act entitled "An Act to provide for the establishment of separate School Districts in the several cities, incorporated towns and villages in this State, to authorize the levy and collection of special taxes therein, and to authorize the levy and collection of special taxes in the several School Districts now formed, or hereafter to be formed, outside of cities, incorporated towns and villages," approved December 24, A. D. 1888.

Approved December 24th, A. D. 1890.

No. 669. **AN ACT TO ESTABLISH A NEW SCHOOL DISTRICT IN YORK COUNTY, TO BE KNOWN AS THE TIRZAH SCHOOL DISTRICT, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAL TAX IN SAID SCHOOL DISTRICT.**

Area of School District.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all that territory embraced in the following area, to wit: by taking the depot of the Charleston, Cincinnati and Chicago Railroad Company at Tirzah, in York County, as a starting

point, and drawing a line parallel with said railroad going South to a point one-half the distance from said depot to W. H. Taylor's store, in the Town of New Port, North from said depot two and one-half miles, then by drawing a line at right angles to said line East and West from said depot for the distance of one and one-half miles, and then closing said lines at the terminus thereof, be, and the same is hereby, created a special School District, to be known as the Tirzah School District, and the same shall be a body politic and corporate, with such rights, powers, privileges and liabilities as are provided for School Districts by the laws of the State of South Carolina.

A. D. 1890.

Name, incorporation and powers.

SEC. 2. That A. M. Black, Dr. R. T. M. Hall, R. R. Allison, J. R. Conner, R. T. Gillespie, J. J. Miller and Dr. E. L. Glenn and their successors in office be, and they are hereby, constituted and appointed a Board of Trustees for said School District, and they shall each hold said office of Trustee for a period of two years, when their successors shall be elected at a meeting called for that purpose, who shall likewise hold said office for the period of two years, which is hereby fixed as the term of office for Trustees in said School District: *Provided*, That said Board of Trustees may fill any vacancy occurring between the regular times of election.

Board of Trustees.

Term of office.

Vacancies.

SEC. 3. That the voters of said School District shall have the right to levy a special tax not exceeding two and a half mills for the use of the schools in said District.

Special school tax.

SEC. 4. That the said School District and the Trustees thereof shall be entitled to all the rights, powers and privileges, and be subject to all the restrictions and liabilities, that are contained in an Act entitled "An Act for the establishment of a new School District in the County of York, to be known as the Rock Hill School District, and to authorize the levy and collection of a local tax therein," approved December 19th, A. D. 1887, except in so far as the provisions of said Act may be inconsistent with provisions of this Act.

Rights and liabilities.

19 Stat., 1167.

SEC. 5. That this Act shall go into effect immediately after its approval, and all Acts inconsistent herewith be, and the same are hereby, repealed.

When to take effect. Repealing clause.

Approved December 24th, A. D. 1890.

APPENDIX.

LIST OF CHARTERS

GRANTED BY THE SECRETARY OF STATE.

Under the provisions of the Act of December 23d, 1886, entitled "An Act to provide for the formation of corporations under general laws," (19 Stat., 540,) and Acts amending the same, and reported by the Secretary of State to the General Assembly in his Report of November 1, 1890.

ABBEVILLE LAND LOAN AND IMPROVEMENT COMPANY.

Incorporated to buy and sell real and personal property, notes, accounts, mortgages, bonds, County claims, &c.

Location—Abbeville C. H., S. C.

Names of Corporators—J. Allen Smith, R. M. Haddon, P. Rosseberg, E. A. Templeton, Aug. W. Smith, W. C. McGowan and T. P. Cothran.

Amount Capital Stock—Twenty thousand dollars. Par value one hundred dollars each.

Date of Charter—8th February, 1890.

AIKEN PINE ELIXIR MANUFACTURING COMPANY.

Incorporated to manufacture and sell Moseley's Aiken Pine Elixir.

Location—Aiken, S. C.

Names of Corporators—Henry Hahn, Henry Schroder, E. S. Hammond, John Gary Evans, E. A. Moseley and Wm. H. Harbers.

Amount Capital Stock—Three thousand dollars. Par value one hundred dollars.

Date of Charter—15th May, 1890.

AMERICAN BANK.

Incorporated to do a general banking business.

Location—Greenville, S. C.

Names of Corporators—Henry Briggs, R. E. Allen, T. Q. Donaldson, Davis Furman, James L. Orr and B. F. King.

Amount Capital Stock—Seventy-five thousand dollars. Par value one hundred dollars each.

Date of Charter—16th October, 1890.

ANDERSON ELECTRIC LIGHT AND POWER COMPANY.

Incorporated to furnish electric lights and motor power to the City of Anderson.

Location—Anderson, S. C.

Names of Corporators—John T. Roddey, Wm. C. Whitner, J. S. Fowler and F. T. Wilhite.

Amount Capital Stock—Ten thousand dollars. Par value one hundred dollars each.

Date of Charter—18th June, 1890.

ANDERSON GINNING AND MANUFACTURING COMPANY.

Incorporated to manufacture fertilizers, cotton seed oil and gin cotton.

Location—Anderson, S. C.

Names of Corporators—Jos. J. Fretwell, P. K. McCully, J. L. Glenn, W. G. Watson, L. R. Watson and J. S. Fowler.

Amount Capital Stock—Five thousand dollars. Par value fifty dollars each.

Date of Charter—6th August, 1890.

ANDERSON LUMBER COMPANY.

Incorporated to do a general lumber business.

Location—Charleston, S. C.

Names of Corporators—Andrew Simonds, R. Maxwell Anderson and Edward Anderson.

Amount Capital Stock—Twenty-five thousand dollars. Par value one hundred dollars each.

Date of Charter—24th May, 1890.

ANDERSON OPERA COMPANY.

Incorporated to lease, buy and own real estate, with a view to fitting up an opera house.

Location—Anderson, S. C.

Names of Corporators—W. W. Humphreys, W. F. Cox, F. T. Wilhite, T. F. Hill, J. M. Sullivan and J. L. Tribble.

Amount Capital Stock—Five thousand dollars. Par value one hundred dollars each.

Date of Charter—31st March, 1890.

ANDERSON TANNERY AND SHOE FACTORY COMPANY.

Incorporated to manufacture and sell shoes.

Location—Anderson, S. C.

Names of Corporators—C. C. Langston, T. S. Crayton, J. W. Quattlebaum, R. C. Webb, W. R. Osborne, John M. Hubbard, R. E. Frierson, R. W. Brown and W. H. Cox.

Amount Capital Stock—Fifty thousand dollars. Par value fifty dollars each.

Date of Charter—12th September, 1890.

AUTOMATIC TIME STOCK FEEDER COMPANY.

Incorporated to manufacture and sell inventions secured and covered by letters patent.

Location—Charleston, S. C.

Names of Corporators—T. A. Huguenin, R. J. Morris, T. L. Bissell, J. H. Puckhaber, E. H. Kingman and G. M. Trenholm.

Amount Capital Stock—Five thousand dollars. Par value ten dollars each.

Date of Charter—24th April, 1890.

A. W. TAYLOR LAND AND LUMBER COMPANY.

Incorporated to do a manufacturing and industrial business.

Location—Summerville, S. C.

Names of Corporators—A. W. Taylor, Rudolph Siegling, O. F. Wieters and W. C. Miller.

Amount Capital Stock—Seventy-five thousand dollars. Par value one hundred dollars each.

Date of Charter—2d May, 1890.

BAMBERG BUILDING AND LOAN ASSOCIATION.

Incorporated to do a building and loan business.

Location—Bamberg, S. C.

Name of Corporators—T. J. Counts, Sr., D. L. Copeland, F. M. Bamberg, J. D. Copeland and H. J. Brabham.

Amount Capital Stock—Fifty thousand dollars. Par value one hundred dollars each.

Date of Charter—5th March, 1890.

BANK OF ALLENDALE.

Incorporated to do a general banking business.

Location—Allendale, S. C.

Names of Corporators—J. L. Tobin, Jones H. C. All, W. P. Willcox, Henry Wolff, LeRoy Wilson, Julius Sklarz, W. F. Googe, C. M. Hiers, C. B. Farmer, W. V. Gill, T. H. Johnson, Jr., H. J. Moody and W. A. All, Jr.

Amount Capital Stock—Fifty thousand dollars. Par value one hundred dollars each.

Date of Charter—13th March, 1890.

BANKING SYSTEM BUILDING AND LOAN ASSOCIATION.

Incorporated to do a banking and building and loan business.

Location—Charleston, S. C.

Names of Corporators—Joseph M. Thomas, Jacob H. Loeb, J. M. Connelly, W. Henry Thomas, I. M. Folk, H. A. Mullings, C. P. Gardner, Alexander Melchers, T. Smith Wilbur, I. B. Cohen, S. Weiskoff and Richard Birnie.

Amount Capital Stock—Two hundred thousand dollars. Par value one hundred dollars each.

Date of Charter—8th July, 1890.

BARNWELL OIL AND FERTILIZER COMPANY.

Incorporated to manufacture cotton oil, fertilizers, and sell the same.

Location—Barnwell, S. C.

Names of Corporators—Johnson Hagood, Mike Brown, Jessie Snelling, John M. Green, D. Paul Sojourner, E. L. Sanders and D. H. Salley.

Amount Capital Stock—Fifty thousand dollars. Par value fifty dollars each.

Date of Charter—31st March, 1890.

BEAUMONT MANUFACTURING COMPANY.

Incorporated to manufacture twine, ropes, carpets, warps, yarn, bats, bags, wrapping paper, &c.

Location—Spartanburg, S. C.

Names of Corporators—Joseph Walker, J. H. Sloan, John B. Cleveland, C. E. Fleming, H. A. Ligon, W. F. Bryant, A. N. Wood, Geo. W. Nichols and J. K. Jennings.

Amount Capital Stock—Thirty thousand dollars. Par value one hundred dollars each.

Date of Charter—9th June, 1890.

BERKELEY CANNING AND MANUFACTURING COMPANY.

Incorporated for canning of fruits and vegetables and manufacturing crates, &c.

Location—Mt. Pleasant, S. C.

Names of Corporators—H. R. Hale, John Boyd, W. St. Julien Jervy and Geo. F. Von Kolnitz.

Amount Capital Stock—Twenty thousand dollars. Par value one hundred dollars each.

Date of Charter—8th January, 1890.

BERRY SIGNAL LOCK AND TARGET COMPANY.

Incorporated to manufacture lock signals, targets, &c.

Location—Chester, S. C.

Names of Corporators—J. D. Berry, L. T. Nichols, J. K. Henry, G. W. Gage, J. J. McLure, E. C. Stahn and W. E. Moffatt.

Amount Capital Stock—Fifteen thousand dollars. Par value fifty dollars each.

Date of Charter—12th June, 1890.

BLACKSBURG LAND AND IMPROVEMENT COMPANY.

Incorporated to erect hotels, water works, gas works, electric light plants, &c.

Location—Blacksburg, S. C.

Names of Corporators—J. G. Black, M. P. Reese, J. J. Whisnant and John F. Jones.

Amount Capital Stock—Ten thousand dollars. Par value one hundred dollars each.

Date of Charter—30th December, 1889.

BLACKSBURG MACHINE AND IRON WORKS.

Incorporated to conduct a foundry and machine shop, &c.

Location—Blacksburg, S. C.

Names of Corporators—John F. Jones, J. J. Whisnant, B. B. Babbington and N. W. Hardin.

Amount Capital Stock—Twelve thousand dollars. Par value fifty dollars each.

Date of Charter 14th October, 1890.

BLACKVILLE ALLIANCE COMPANY.

Incorporated for the purpose of receiving, storing and selling cotton, and to do a warehousé business.

Location—Blackville, S. C.

Names of Corporators—D. Paul Sojourner, F. M. Mixon, S. N. Green, Daniel W. Bodiford, J. L. Johnston, Joseph Roxby, J. M. Lancaster and Robert J. Hightower.

Amount Capital Stock—Five thousand dollars. Par value ten dollars each.

Date of Charter—1st September, 1890.

BOWMAN LAND AND IMPROVEMENT COMPANY.

Incorporated to buy, sell and lease real estate, to lay out towns, &c.

Location—Orangeburg, S. C.

Names of Corporators—Samuel Dibble, B. H. Moss and Thomas M. Raysor.

Amount Capital Stock—Forty thousand dollars. Par value one hundred dollars each.

Date of Charter—6th September, 1890.

CAROLINA FIBER COMPANY.

Incorporated to manufacture and sell wood fiber, chemical and mechanical wood pulp, paper stock, &c.

Location—Hartsville, S. C.

Names of Corporators—J. L. Coker, J. L. Coker, Jr., and C. J. Woodruff.

Amount Capital Stock—Seventy thousand dollars. Par value one hundred dollars each.

Date of Charter—20th March, 1890.

CAROLINA LOAN AND INVESTMENT COMPANY.

Incorporated to make loans of money on real estate, bonds or stocks and such other securities.

Location—Columbia, S. C.

Names of Corporators—James Woodrow, Willie Jones, R. W. Shand, J. L. Mimnaugh, G. L. Baker, E. W. Robertson and M. H. Moore.

Amount Capital Stock—Fifty thousand dollars. Par value one hundred dollars each.

Date of Charter—4th June, 1890.

CAROLINA REAL ESTATE AND INVESTMENT INSURANCE COMPANY.

Incorporated to carry on a real estate and investment business.

Location—Florence, S. C.

Names of Corporators—C. E. Jarrot and John P. Coffin.

Amount Capital Stock—One hundred thousand dollars. Par value twenty-five dollars each.

Date of Charter—6th February, 1890.

THE CHAMPION CANNING COMPANY.

Incorporated to do a canning business, all kinds of vegetables and fruits, and pickling vegetables.

Location—Darlington, S. C.

Names of Corporators—A. Ames Howlett and Clarence S. Nettles.

Amount Capital Stock—Ten thousand dollars. Par value fifty dollars each.

Date of Charter—16th July, 1890.

CHARLESTON, MCCLELLANVILLE AND SANTEE TRANSPORTATION COMPANY.

Incorporated to transport by steam passengers and do a general freight business.

Location—McClellanville, S. C.

Names of Corporators—C. H. Leland, R. T. Morrison, Jr., L. P. McClellan, W. P. Beckman, John L. Weber, O. F. Weiters and Leland Moore.

Amount Capital Stock—Four thousand dollars. Par value fifty dollars each.

Date of Charter—10th May, 1890.

**CHEROKEE BUILDING AND LOAN ASSOCIATION OF
BLACKSBURG.**

Incorporated to do a building and loan business.

Location—Blacksburg, S. C.

Names of Corporators—John G. Black, M. R. Reese, J. R. Healan,
R. A. Westbrook and N. W. Hardin.

Amount Capital Stock—One hundred thousand dollars. Par value
one hundred dollars each.

Date of Charter—18th February, 1890.

CLINTON WAREHOUSE AND FERTILIZER COMPANY.

Incorporated to do a general warehouse business.

Location—Clinton, S. C.

Names of Corporators—M. S. Bailey, R. Z. Wright, D. D. Little
and J. W. Copeland.

Amount Capital Stock—Five thousand dollars. Par value twenty-
five dollars each.

Date of Charter—29th May, 1890.

**CLOTWORTHY CARPET CLEANING AND UPHOLSTERING
COMPANY.**

Incorporated to take up, clean, mend, make, alter and put down
carpets, rugs, mattings, &c.

Location—Charleston, S. C.

Names of Corporators—James Clotworthy and Edward W. Hughes.

Amount Capital Stock—Twelve hundred and fifty dollars. Par
value fifty dollars each.

Date of Charter—5th February, 1890.

CLOVER COTTON MANUFACTURING COMPANY.

Incorporated to manufacture cotton yarns, warps and cloth.

Location—Clover, York County, S. C.

Names of Corporators—A. W. Barnett, T. P. Whitesides, P. E. Moore, D. M. Hall, D. J. Jackson, L. K. Armstrong, E. W. Pressley, W. B. Smith, J. R. Barron, J. F. Jackson, James Fitchet and J. J. Wilson.

Amount Capital Stock—Fifty thousand dollars. Par value one hundred dollars each.

Date of Charter—20th January, 1890.

COLORED AGRICULTURAL AND MECHANICAL ASSOCIATION OF SOUTH CAROLINA.

Incorporated to promote interests of the colored race.

Names of Corporators—A. E. Hampton, E. M. Weston and H. H. Ely.

Amount Capital Stock—Two thousand dollars. Par value two dollars each.

Date of Charter—19th November, 1889.

COLORED ALLIANCE STATE EXCHANGE.

Incorporated to erect warehouses, mills, gins and factories, store cotton and farm products.

Location—Charleston, S. C.

Names of Corporators—H. D. Bryan, D. W. Robinson and L. A. Ford.

Amount Capital Stock—Two thousand five hundred dollars. Par value fifty dollars each.

Date of Charter—27th March, 1890.

CONVERSE COLLEGE COMPANY.

Incorporated for the maintenance of a school for white persons only.

Location—City of Spartanburg, S. C.

Names of Corporators—L. P. Walker, D. E. Converse, D. R. Duncan, H. E. Ravenel, Geo. Cofield, W. E. Burnett, W. A. Law, W. S. Manning, D. E. Hydrick, E. Bacon, S. B. Jones, Jr., H. E. Heintsh and John Earle Bomar.

Amount Capital Stock—Twenty-five thousand dollars. Par value twenty-five dollars each.

Date of Charter—8th November, 1889.

CO-OPERATIVE ALLIANCE STORE.

Incorporated to do a general mercantile business.

Location—Anderson, S. C.

Names of Corporators—A. C. Latimer, W. A. Neal, J. Belton Watson, R. M. Burriass and W. E. Walters.

Amount Capital Stock—Fifty thousand dollars. Par value ten dollars each.

Date of Charter—23d December, 1889.

DUE WEST PUBLISHING COMPANY.

Incorporated to print or publish one or more weekly newspapers.

Location—Due West, S. C.

Names of Corporators—R. S. Galloway, W. M. Grier, J. A. Devlin, J. N. Young, P. L. Grier, J. P. Kennedy, J. M. Todd and J. I. McCain.

Amount Capital Stock—Five thousand dollars. Par value fifty dollars each.

Date of Charter—23d December, 1889.

EDGEFIELD GINNING, MILLING AND FERTILIZER COMPANY.

Incorporated to manufacture and sell fertilizers, gin and pack cotton, &c.

Location—Edgefield C. H., S. C.

Names of Corporators—A. J. Norris, W. E. Prescott, J. W. Hill, A. S. Tompkins, Geo. B. Lake and J. C. Sheppard.

Amount Capital Stock—Five thousand dollars. Par value twenty-five dollars each.

Date of Charter—15th April, 1890.

EDISTO OYSTER AND FISH COMPANY.

Incorporated to gather, plant, cultivate, buy, sell and deal in oysters, shell fish, terrapins, &c.

Location—At and near Capers Island and Bull's Bay.

Names of Corporators—W. H. Welch, S. E. Welch, S. J. Pregnall and Eber Blodgett.

Amount Capital Stock—Ten thousand dollars. Par value fifty dollars each.

Date of Charter—10th May, 1890.

EMERSON LAUNDRY MACHINERY COMPANY.

Incorporated to manufacture and sell underwear and do a laundry business.

Location—Charleston, S. C.

Names of Corporators—A. S. Emerson, E. V. Emerson, M. A. Connor, J. Raworth Smith and W. M. Connor.

Amount Capital Stock—One hundred thousand dollars. Par value one hundred dollars each.

Date of Charter—8th October, 1890.

ENTERPRISE FURNITURE COMPANY.

Incorporated to manufacture furniture, household goods, tombstones, monuments, &c., and sell the same.

Location—Anderson, S. C.

Names of Corporators—W. F. Cox, J. L. Tribble, J. J. Baker, E. H. Poore and E. P. Sloan.

Amount Capital Stock—Ten thousand dollars. Par value one hundred dollars each.

Date of Charter—23d August, 1890.

ENTERPRISE MANUFACTURING COMPANY.

Incorporated to manufacture and sell doors, sash, blinds, ice, soap, gin and pack cotton, &c.

Location—Barnwell C. H., S. C.

Names of Corporators—R. S. Thompson, Wm. McNab, A. T. Woodward, J. A. Tobin, Alfred Aldrich and W. J. Duncan.

Amount Capital Stock—Ten thousand dollars. Par value twenty-five dollars each.

Date of Charter—7th May, 1890.

EUREKA COTTON GIN COMPANY OF CHARLESTON, S. C.

Incorporated to manufacture and sell cotton gins.

Location—Charleston, S. C.

Names of Corporators—Charles F. Panknin, John Von Oven, G. A. Wagener, Frank E. Taylor, Daniel B. Haselton, H. C. Robertson and Mike Brown.

Amount Capital Stock—Thirty thousand dollars. Par value one hundred dollars each.

Date of Charter—25th March, 1890.

**FARMERS' ALLIANCE EXCHANGE OF SOUTH CAROLINA.
(LIMITED).**

Incorporated to conduct a general mercantile business.

Location—Greenville, S. C.

Names of Corporators—James C. Coit, J. M. Glenn, J. R. Harrison, Joel Hough, J. W. Ferguson, W. D. Timmerman, W. O. Cain and O. B. Riley.

Amount Capital Stock—Fifty thousand dollars. Par value fifty dollars.

Date of Charter—19th December, 1889.

FARMERS' ALLIANCE STORE. (LIMITED).

Incorporated to do a general mercantile business.

Location—Honea Path, S. C.

Names of Corporators—M. B. Gaines, J. N. Shirley and J. H. Austin.

Amount Capital Stock—Six thousand dollars. Par value ten dollars each.

Date of Charter—19th December, 1889.

FARMERS' ALLIANCE TRADE MEDIUM.

Incorporated to do a general merchandise business.

Location—Wagener, S. C.

Names of Corporators—A. A. Able, J. E. Busbee, Volintine Poole, J. Williams, L. B. Able, Isaiah Williams, Elzie Poole, John Hutto and Robert Garvin.

Amount Capital Stock—One thousand dollars. Par value twenty-five dollars each.

Date of Charter—5th July, 1890.

**FARMERS' ALLIANCE WAREHOUSE COMPANY AT GREER'S,
IN SPARTANBURG.**

Incorporated to do a general mercantile business.

Location—Greer's, S. C.

Names of Corporators—R. M. Smith and Taylor Wood.

Amount Capital Stock—Two thousand dollars. Par value five dollars each.

Date of Charter—15th January, 1890.

**FARMERS' ALLIANCE WAREHOUSE COMPANY OF
ORANGEBURG COUNTY.**

Incorporated to do a general warehouse and storage business.

Location—Orangeburg, S. C.

Names of Corporators—E. R. Walter, John S. Rowe and James H. Fowles.

Amount Capital Stock—Five thousand dollars. Par value ten dollars each.

Date of Charter—6th May, 1890.

FARMERS' CO-OPERATIVE STORE.

Incorporated to do a general merchandise business.

Location—Belton, S. C.

Names of Corporators—L. D. Harris and J. N. Sutherland.

Amount Capital Stock—Eight thousand dollars. Par value ten dollars each.

Date of Charter—20th October, 1890.

FARMERS' LOAN AND SAVINGS BANK OF EDGEFIELD.

Incorporated to do a general banking business.

Location—Edgefield C. H., S. C.

Names of Corporators—A. E. Padgett, S. L. Ready and George D. Walker.

Amount Capital Stock—Fifty thousand dollars. Par value twenty-five dollars each.

Date of Charter—31st March, 1890.

FIDELITY BUILDING AND LOAN ASSOCIATION.

Incorporated to do a building and loan business.

Location—Charleston, S. C.

Names of Corporators—William M. Bird, Geo. A. Wagener, B. Bollman, Geo. B. Edwards, J. Somers Buist, M. D., J. C. Tiedeman and Henry Schacte.

Amount Capital Stock—Four hundred thousand dollars. Par value fifty dollars each.

Date of Charter—16th May, 1890.

FLORENCE BRICK TILE AND MANUFACTURING COMPANY.

Incorporated to manufacture and sell brick tiling.

Location—Florence, S. C.

Names of Corporators—W. D. Heape, R. C. Commander, J. E. Pettigrew and Jerome P. Chase.

Amount Capital Stock—Six thousand dollars. Par value one hundred dollars each.

Date of Charter—8th May, 1890.

FLORENCE TOBACCO MANUFACTURING AND WAREHOUSE COMPANY.

Incorporated to manufacture and sell tobacco.

Location—Florence, S. C.

Names of Corporators—T. W. Williams, H. L. Covington, E. Miller, Smilie A. Gregg, Jr., C. L. Boinest, Smilie A. Gregg, F. M. Rogers, Jr., and Jerome P. Chase.

Amount Capital Stock—Ten thousand dollars. Par value twenty-five dollars each.

Date of Charter—13th March, 1890.

GAFFNEY CITY CANNING COMPANY.

Incorporated to preserve, pickle, can, bottle fruits and vegetables and sell the same.

Location—Gaffney City, S. C.

Names of Corporators—A. N. Wood, J. F. Garrett, J. R. Tolleson, W. C. Petty and W. C. Carpenter.

Amount Capital Stock—Two thousand dollars. Par value ten dollars each.

Date of Charter—7th July, 1890.

GAFFNEY CITY LAND AND IMPROVEMENT COMPANY.

Incorporated to buy, improve and sell real estate, &c.

Location—Gaffney City, S. C.

Names of Corporators—A. N. Wood, N. Lipscomb and J. V. Sar-ratt.

Amuont Capital Stock—Sixty thousand dollars. Par value twenty-five dollars each.

Date of Charter—26th May, 1890.

GEORGE G. LANE CAR COUPLING COMPANY.

Incorporated to operate and sell the G. G. Lane car coupling.

Location—Prosperity, S. C.

Names of Corporators—G. G. Lane, R. L. Luther, J. M. Wheeler, J. P. Wheeler, W. A. Moseley, G. G. DeWalt, A. H. Hawkins, D. J. Shealy, G. M. Wilson, W. P. B. Harman, W. H. Hunt, Jr., and James K. P. Goggans.

Amount Capital Stock—Ten thousand dollars. Par value one hundred dollars each.

Date of Charter—18th April, 1890.

GEORGETOWN BARREL MANUFACTURING COMPANY.

Incorporated to manufacture and sell spirits turpentine barrels, buckets, tubs and wooden ware of all descriptions.

Location—Georgetown, S. C.

Names of Corporators—J. B. Steele, Marks Moses and L. S. Ehrich.

Amount Capital Stock—Ten thousand dollars. Par value fifty dollars each.

Date of Charter—21st May, 1890.

GEORGETOWN LUMBER AND FURNITURE MANUFACTURING COMPANY.

Incorporated to manufacture and sell lumber, furniture, mattresses, wooden articles of all descriptions.

Location—Georgetown, S. C.

Names of Corporators—J. B. Steele, S. S. Fraser, W. D. Morgan and G. W. Curley.

Amount Capital Stock—Fifteen thousand dollars. Par value one hundred dollars each.

Date of Charter—6th January, 1890.

GRAHAM WAGON WORKS.

Incorporated to manufacture wagons, buggies, carts, drays, &c.

Location—Graham's, S. C.

Names of Corporators—J. E. Steadman, J. W. Crum, C. L. Wroton, J. C. Metts and J. D. Milhous.

Amount Capital Stock—Four thousand dollars. Par value ten dollars each.

Date of Charter—17th May, 1890.

GREENVILLE COAL AND BUILDERS' SUPPLY CO.

Incorporated to buy and sell coal, builders' supplies and merchandise, &c.

Location—Greenville, S. C.

Names of Corporators—R. E. Allen, Henry Briggs, W. D. Brown-
ing and H. J. Haynesworth.

Amount Capital Stock—Ten thousand dollars. Par value one
hundred dollars each.

Date of Charter—22d April, 1890.

GREENVILLE FERTILIZER COMPANY.

Incorporated to manufacture and sell fertilizers, &c.

Location—Greenville, S. C.

Names of Corporators—E. B. Hollings and D. C. Ebaugh.

Amount Capital Stock—One hundred thousand dollars. Par value
twenty-five dollars each.

Date of Charter—6th March, 1890.

GREENVILLE LIGHTING AND POWER COMPANY.

Incorporated to furnish electric light and power for the City of Greenville.

Location—Greenville, S. C.

Names of Corporators—E. A. Buck and Frank Hammond.

Amount Capital Stock—Twenty-five thousand dollars. Par value one hundred dollars each.

Date of Charter—27th October, 1890.

GREENVILLE SUPPLY COMPANY.

Incorporated to buy and sell goods, wares and merchandise, fertilizers, cotton, &c.

Location—Greenville, S. C.

Names of Corporators—Walter S. Gray, John D. Sullivan, T. E. Ware and Samuel J. Pickle.

Amount Capital Stock—Twenty-five thousand dollars. Par value one hundred dollars each.

Date of Charter—24th January, 1890.

HARLAN CITY ALLIANCE WAREHOUSE COMPANY.

Incorporated to do a general warehouse and storage business.

Location—Harlan City, S. C.

Names of Corporators—T. Bachman Bookhart, A. Cornelius Baxter, Jr., and Mark J. Jenkins.

Amount Capital Stock—One thousand five hundred dollars. Par value ten dollars each.

Date of Charter—12th August, 1890.

HIBERNIA BUILDING AND LOAN ASSOCIATION OF
CHARLESTON.

Incorporated to do a building and loan business.

Location—Charleston, S. C.

Names of Corporators—Robert Martin, Patrick H. Kennedy, M. F. Kennedy, F. L. McHugh, B. F. Alston, Wm. K. Brown, Gerhard Reicke and Thomas Roddy.

Amount Capital Stock—Thirty-six thousand dollars. Par value two hundred dollars each.

Date of Charter—28th May, 1890.

IMPERIAL FERTILIZER COMPANY.

Incorporated to manufacture and sell fertilizers.

Location—Charleston, S. C.

Names of Corporators—Andrew Simonds, Albert M. Rhett, Henry S. Holmes, John C. Simonds, George M. Trenholm and R. G. Rhett.

Amount Capital Stock—One hundred and fifty thousand dollars. Par value one hundred dollars each.

Date of Charter—22d April, 1890.

KLINCK AND WICKENBURG COMPANY.

Incorporated to buy and sell groceries, liquors, wines, cigars, &c.

Location—Charleston, S. C.

Names of Corporators—John C. Wieters and Henry B. Schroder.

Amount Capital Stock—Ten thousand dollars. Par value one hundred dollars each.

Date of Charter—18th April, 1890.

LEESVILLE COLLEGE COMPANY.

Incorporated to conduct a college for the education of white youth of both sexes.

Location—Leesville, S. C.

Names of Corporators—D. D. D. Mitchell, J. Edwards, J. W. Spann and J. P. Bodie.

Amount Capital Stock—Ten thousand dollars. Par value twenty-five dollars each.

Date of Charter—24th July, 1890.

LEESVILLE INDUSTRIAL INSTITUTE COMPANY.

Incorporated to give an English and classical education to youth.

Location—Leesville, S. C.

Names of Corporators—J. J. Shealy, J. C. Bodie, B. N. Bodie, D. D. D. Mitchell, H. H. Spann, J. P. Bodie, J. P. Able and L. B. Haynes.

Amount Capital Stock—Five thousand dollars. Par value twenty-five dollars each.

Date of Charter—19th April, 1890.

LIMESTONE SPRINGS LIME COMPANY.

Incorporated to manufacture and sell lime and fertilizers, &c.

Location—Gaffney, S. C.

Names of Corporators—John E. Bomar, Jesse F. Cleveland, John B. Cleveland, William H. Richardson and J. A. Carroll.

Amount Capital Stock—Forty thousand dollars. Par value one hundred dollars each.

Date of Charter—20th October, 1890.

LOCKHART SHOALS CONSTRUCTION COMPANY.

Incorporated to construct railroads, build canals, erect mills, etc.

Location—Lockhart Shoals, S. C.

Names of Corporators—Wade Osborne, R. C. Thompson and J. M. Sims.

Amount Capital Stock—Fifteen thousand dollars. Par value one hundred dollars each.

Date of Charter—10th September, 1890.

LUCAS & RICHARDSON COMPANY.

Incorporated to do a general stationery business, printing, lithography, engraving, blank book manufacturing, &c.

Location—Charleston, S. C.

Names of Corporators—Wm. N. Lucas, Wm. H. Richardson and George S. Holmes.

Amount Capital Stock—Fifty thousand dollars. Par value fifty dollars each.

Date of Charter—14th July, 1890.

MARINE WHARF AND STORAGE COMPANY.

Incorporated to conduct a general wharf, dock and storage business.

Location—Charleston, S. C.

Names of Corporators—Charles F. Middleton, Edward C. Marshall, Jos. T. Hubbard and Herman S. Cordes.

Amount Capital Stock—Fifteen thousand dollars. Par value one hundred dollars each.

Date of Charter—13th July, 1890.

MARION COTTON MILLS.

Incorporated to manufacture into yarn cotton and other goods.

Location—Marion, S. C.

Names of Corporators—J. P. Davis, C. A. Wilcox, G. A. Norwood, William M. Munroe, Robert Macfarlan, H. Hartz, B. F. Elliott, W. C. McMillan, H. C. Graham, E. H. Gasque, W. J. McKerral, J. W. Johnson, C. W. McKay and W. J. Montgomery.

Amount Capital Stock—Twenty-five thousand dollars. Par value fifty dollars each.

Date of Charter—29th November, 1889.

MARION IRON WORKS.

Incorporated to manufacture and repair various kinds of machinery and vehicles.

Location—Marion, S. C.

Names of Corporators—W. J. Montgomery, P. B. Hamer, R. Jordan, Emerson McDuffie, J. P. Davis, B. R. Mullins and James Stackhouse.

Amount Capital Stock—Twenty thousand dollars. Par value fifty dollars each.

Date of Charter—30th June, 1890.

MEAD PHOSPHATE COMPANY.

Incorporated to manufacture and mine phosphate rock and sell the same.

Location—Meadville, Berkeley County, S. C.

Names of Corporators—Ernest J. Mead, Thomas Royle, Theodore W. Webb, Charles Inglesby and W. C. Miller.

Amount Capital Stock—Two hundred thousand dollars. Par value one hundred dollars each.

Date of Charter—24th October, 1890.

MEETING STREET COMPANY.

Incorporated to own land, raise cotton, conduct a mercantile business, &c.

Location—Meeting Street, Edgefield County.

Names of Corporators—D. C. Tompkins and A. S. Tompkins.

Amount Capital Stock—Thirty thousand dollars. Par value one hundred dollars each.

Date of Charter—30th December, 1889.

MERCHANTS' AND PLANTERS' BANK OF BLACKVILLE,
S. C.

Incorporated to do a general banking business.

Location—Blackville, S. C.

Names of Corporators—P. W. Farrell, D. H. Salley, L. T. Izlar, J. H. Riley, James Thomson, Julius P. Strobel, Henry Still, O. C. Able and H. W. Briggs.

Amount Capital Stock—Twenty-five thousand dollars. Par value twenty-five dollars each.

Date of Charter—8th November, 1889.

MOUNTAIN CITY LAND AND IMPROVEMENT COMPANY.

Incorporated to buy, sell and improve real estate.

Location—Greenville, S. C.

Names of Corporators—Frank Hammond, E. A. Smyth, J. A. McCullough, J. F. Mitchell, L. W. Parker, A. G. Furman, H. C. Beattie, S. G. Mayfield, H. J. Haynsworth and O. M. Furman.

Amount Capital Stock—Twelve thousand dollars. Par value one hundred dollars each.

Date of Charter—13th February, 1890.

MOUNT HOLLY MINING AND MANUFACTURING COMPANY.

Incorporated to do a mining and manufacturing business.

Location—Mount Holly, S. C.

Names of Corporators—Wm. B. Chisholm and J. Bachman Chisholm.

Amount Capital Stock—Twenty-five thousand dollars. Par value one hundred dollars each.

Date of Charter—29th November, 1889.

NEWBERRY ALLIANCE WAREHOUSE COMPANY.

Incorporated to erect warehouses and conduct a warehouse business.

Location—Prosperity, S. C.

Names of Corporators—J. A. Sligh, J. L. Keitt, L. P. Miller, J. B. Feller, J. P. P. Carson, R. T. C. Hunter, J. F. Banks and Perry Halfacre.

Amount Capital Stock—Three thousand dollars. Par value five dollars each.

Date of Charter—31st December, 1889.

NEWBERRY BUILDING AND INVESTMENT COMPANY.

Incorporated to lend money on real and personal security, to buy, sell, lease and exchange real and personal property.

Location—Newberry, S. C.

Names of Corporators—William E. Pelham, George S. Mower, George G. Sale, Robert L. McCaughrin, John M. Kinard, John M. Johnstone and Owen McR. Holmes.

Amount Capital Stock—One hundred thousand dollars. Par value one hundred dollars each.

Date of Charter—2d July, 1890.

**NEWBERRY COTTON SEED OIL MILL AND FERTILIZER
COMPANY.**

Incorporated to manufacture and sell cotton seed oil, cotton seed meal and fertilizers.

Location—Newberry, S. C.

Names of Corporators—Thomas V. Wicker, John O. Peoples, L. W. Floyd, G. F. Long, O. B. Mayer, Jr., and Jas. K. P. Goggans.

Amount Capital Stock—Thirty thousand dollars. Par value fifty dollars each.

Date of Charter—20th August, 1890.

NICKEL SAVINGS BANK OF CHARLESTON.

Incorporated to do a general banking business.

Location—Charleston, S. C.

Names of Corporators—John Boyd, Wm. N. Lucas and John C. Mallonee.

Amount Capital Stock—Ten thousand dollars. Par value fifty dollars each.

Date of Charter—2d October, 1890.

NORTH AUGUSTA LAND COMPANY.

Incorporated to buy, improve and sell real estate, build bridges, lay out, open up and grade avenues, streets and parks, and generally improve and develop the same.

Location—In Aiken County, S. C.

Names of Corporators—Archibald H. Baker, James U. Jackson and William H. Cozart.

Amount Capital Stock—One million dollars. Par value one hundred dollars each.

Date of Charter—14th August, 1890.

ORANGEBURG ELECTRIC LIGHT AND ELECTRIC POWER COMPANY.

Incorporated to furnish electric light or electric power, or both, in the City of Orangeburg, S. C.

Location—Orangeburg, S. C.

Names of Corporators—E. F. Slater, J. M. Oliver and C. G. Dantzler.

Amount Capital Stock—Three thousand dollars. Par value one hundred dollars each.

Date of Charter—25th August, 1890.

ORANGEBURG INVESTMENT COMPANY.

Incorporated to lend money on real and personal security, to buy, sell, lease and exchange real and personal property.

Location—Orangeburg, S. C.

Names of Corporators—Lawton H. Wannamaker, George W. Brunson, John L. Albergotti, Francis Demars, Anton Berg, Abial Lathrop and William L. Glaze.

Amount Capital Stock—Fifteen thousand dollars. Par value one hundred dollars each.

Date of Charter—30th June, 1890.

ORANGEBURG OIL MILL.

Incorporated to manufacture cotton seed oil and sell the same, gin and pack cotton, &c.

Location—Orangeburg, S. C.

Names of Corporators—Paul S. Felder, B. F. Muckenfuss and Thomas M. Raysor.

Amount Capital Stock—Twenty-five thousand dollars. Par value twenty-five dollars each.

Date of Charter—13th June, 1890.

ORANGEBURG STEAM LAUNDRY COMPANY.

Incorporated to do a general steam laundry business.

Location—Orangeburg, S. C.

Names of Corporators—B. H. Moss, John W. Fairy, W. L. Izlar, S. W. Summers and L. H. Wannamaker.

Amount Capital Stock—Fifteen hundred dollars. Par value twenty-five dollars each.

Date of Charter—25th July, 1890.

PALMETTO CYPRESS COMPANY.

Incorporated to conduct the business of manufacturing and selling lumber and shingles of all descriptions.

Location—Georgetown, S. C.

Names of Corporators—Louis S. Ehrich, William O. Bourki and H. Kaminski.

Amount Capital Stock—Fifteen thousand dollars. Par value five hundred dollars each.

Date of Charter—24th February, 1890.

PALMETTO ICE COMPANY OF COLUMBIA, S. C.

Incorporated to manufacture and sell ice.

Location—Columbia, S. C.

Names of Corporators—George L. Baker and W. S. Reamer.

Amount Capital Stock—Twenty thousand dollars. Par value one hundred dollars each.

Date of Charter—26th March, 1890.

PALMETTO PHARMACY COMPANY.

Incorporated to manufacture, wholesale and retail medicines and drugs and soda water.

Location—Charleston, S. C.

Names of Corporators—E. A. Hall, F. C. Lynah and G. M. Trenholm.

Amount Capital Stock—Ten thousand dollars. Par value twenty-five dollars each.

Date of Charter—18th July, 1890.

PARIS MOUNTAIN SUMMER HOME LAND COMPANY.

Incorporated to buy, lease and improve and sell real estate.

Location—Greenville, S. C.

Names of Corporators—G. W. Sirrine, H. C. Markley, S. G. Mayfield, T. B. Whitmire, P. T. Hayne, John W. Baker, W. D. Mayfield, Jas. A. Hoyt, W. W. Keys, J. F. Richardson, R. G. McPherson, B. F. Perry and Mary P. Gridley.

Amount Capital Stock—Two thousand dollars. Par value fifty dollars each.

Date of Charter—10th June, 1890.

PARIS MOUNTAIN WATER COMPANY.

Incorporated to supply water to the City of Greenville, to construct reservoirs and to lay down pipes and aqueducts, and to have authority to procure what may be necessary under the exercise of the right of eminent domain.

Location—Greenville, S. C.

Names of Corporators—William S. Perot, Jr., Joseph Skeen, Jr., H. Bayard Hodge, Francis M. Brooke and Joseph W. Hawley.

Amount Capital Stock—One thousand dollars. Par value one hundred dollars each.

Date of Charter—1st October, 1890.

**PARKSVILLE, MODOC AND EDGEFIELD TELEPHONE
COMPANY.**

Incorporated to do a telephone business from Edgefield to Modoc.

Location—Edgefield C. H., S. C.

Names of Corporators—W. R. Parks, W. E. Prescott and J. D. Holstien.

Amount Capital Stock—Five hundred dollars. Par value ten dollars each.

Date of Charter—11th December, 1889.

PENDLETON CANNING COMPANY.

Incorporated to raise or buy fruits and vegetables and to preserve and can the same for market.

Location—Pendleton, S. C.

Names of Corporators—Henry Trescott, Joseph J. Sitton, J. E. Wofford and J. C. Stribling.

Amount Capital Stock—Five hundred dollars. Par value twenty-five dollars each.

Date of Charter—21st May, 1890.

PEOPLE'S BUILDING AND LOAN ASSOCIATION OF SPARTANBURG.

Incorporated to do a building and loan business.

Location—Spartanburg, S. C.

Names of Corporators—Joseph Walker, A. G. Floyd, J. T. Calvert, T. H. Cannon and J. T. Sloan.

Amount Capital Stock—Eighty thousand dollars. Par value one hundred dollars each.

Date of Charter—21st November, 1889.

PHENIX SPOKE AND HANDLE COMPANY.

Incorporated to manufacture and sell spokes, handles and other articles manufactured from wood.

Location—Mount Pleasant, S. C.

Names of Corporators—John J. Mallonee, Robert B. Lebby and Robert Magwood.

Amount Capital Stock—Twenty thousand dollars. Par value fifty dollars each.

Date of Charter—25th February, 1890.

PRODUCE MILLS.

Incorporated to manufacture cotton seed and any other vegetable products into oil and manufacture hard wood into boxes, barrels, spokes, handles, &c.

Location—Spartanburg, S. C.

Names of Corporators—R. Z. Cates, Jos. Walker, Dr. J. F. Cleveland, N. F. Walker, J. W. Wofford, S. J. Simpson and Dr. S. T. D. Lancaster.

Amount Capital Stock—Fifty thousand dollars. Par value five dollars each.

Date of Charter—29th May, 1890.

PROSPERITY INVESTMENT AND IMPROVEMENT COMPANY.

Incorporated to buy, sell, lease and exchange real and personal property, to manufacture building materials, &c.

Location—Prosperity, S. C.

Names of Corporators—J. M. Wheeler, R. L. Luther, Wm. A. Moseley, A. H. Hawkins, A. H. Kohn, E. O. Counts and H. C. Moseley.

Amount Capital Stock—Five thousand dollars. Par value twenty-five dollars each.

• Date of Charter—18th April, 1890.

ROCK HILL ELECTRIC LIGHT COMPANY.

Incorporated to manufacture and produce light, heat and power for lighting and heating buildings, &c.

Location—Rock Hill, S. C.

Names of Corporators—W. Blackburn Wilson, Jr., David Hutchison, W. L. Roddy, Richard T. Fewell and Alexander E. Smith.

Amount Capital Stock—Ten thousand dollars. Par value fifty dollars each.

Date of Charter—28th May, 1890.

ROCK HILL LAND AND TOWN SITE COMPANY.

Incorporated to buy, improve, lease and sell real estate, &c.

Location—Rock Hill, S. C.

Names of Corporators—William L. Roddy, James M. Cherry, Richard T. Fewell and W. Blackburn Wilson, Jr.

Amount Capital Stock—One hundred thousand dollars. Par value one hundred dollars each.

Date of Charter—24th September, 1890.

SOUTH CAROLINA MINING AND MANUFACTURING
COMPANY.

Incorporated to mine and manufacture all kinds of clays, kaolin, stone, phosphate deposits or minerals.

Location—Columbia, S. C.

Names of Corporators—J. C. Mummert, S. R. Rutland, A. Hays, Chas. A. Douglass, Jos. M. English, J. E. McDonald, J. G. McNulty and Wm. B. Burney.

Amount Capital Stock—One hundred thousand dollars. Par value one hundred dollars each.

Date of Charter—31st January, 1890.

SOUTH CAROLINA POULTRY AND PET STOCK ASSOCIATION.

Incorporated for the improvement of pet stock and poultry in this State.

Location—Greenville, S. C.

Names of Corporators—W. H. Irvine, R. G. McPherson, Stephen T. Lea, G. L. Connor, W. A. Schrock, B. F. Perry and A. H. Kohn.
Amount Capital Stock—Fifteen hundred dollars. Par value one dollar each.

Date of Charter—23d July, 1890.

SOUTH CAROLINA PRESBYTERIAN INSTITUTE FOR YOUNG LADIES.

Incorporated to conduct a day and boarding school of high grade for young ladies, under auspices distinctly Christian and Presbyterian, in which no teachings shall ever be inculcated inconsistent with the system of moral and religious truths contained in the Confession and Catechisms of the Westminster Assembly of Divines.

Location—Columbia, S. C.

Names of Corporators—Neander M. Woods, W. D. Simpson, W. A. Clark, George Howe and Thos. A. McCreery.

Amount Capital Stock—Fifty thousand dollars. Par value twenty-five dollars each.

Date of Charter—10th February, 1890.

SOUTHERN ELECTROPOISE COMPANY.

Incorporated to buy and sell electrical instruments for medical purposes.

Location—Charleston, S. C.

Names of Corporators—Albertus S. Brown and David B. Anderson.

Amount Capital Stock—Four thousand dollars. Par value one hundred dollars.

Date of Charter—10th May, 1890.

SOUTHERN KAOLIN COMPANY.

Incorporated to manufacture, buy and sell kaolin and other clays and earths, &c.

Location—Graniteville, S. C.

Names of Corporators—Claude E. Sawyer, James A. Stothart and William Gaston Allen.

Amount Capital Stock—Fifty thousand dollars. Par value one hundred dollars each.

Date of Charter—26th September, 1890.

SOUTHERN SCHOOL OF SHORT-HAND COMPANY.

Incorporated to teach short-hand and type-writing, &c.

Location—Charleston, S. C.

Names of Corporators—C. G. Link, William Austin, Jas. Robertson, Thaddeus Street and William M. Bird.

Amount Capital Stock—Two thousand dollars. Par value twenty-five dollars each.

Date of Charter—3d May, 1890.

SPARTAN MILLS.

Incorporated to manufacture cotton yarns, cotton cloth, cotton goods, &c.

Location—Spartanburg, S. C.

Names of Corporators—John B. Cleveland, D. R. Duncan, George Cofield and John H. Montgomery.

Amount Capital Stock—Five hundred thousand dollars. Par value one hundred dollars each.

Date of Charter—22d May, 1890.

SPARTANBURG LAND AND IMPROVEMENT COMPANY.

Incorporated to establish manufactories, electric lights and improve real estate, &c.

Location—Spartanburg, S. C.

Names of Corporators—John B. Cleveland, S. J. Simpson, W. E. Burnett, Joseph Walker and J. H. Sloan.

Amount Capital Stock—Ten thousand dollars. Par value twenty-five dollars each.

Date of Charter—1st May, 1890.

ST. GEORGE'S CANNING AND MANUFACTURING COMPANY.

Incorporated to can fruit and vegetables, and manufacture of cans and sell the same.

Location—St. George's, S. C.

Names of Corporators—W. McAlhaney, J. O. Reed, L. A. Klauber, T. J. Murray, S. L. Selleck and T. H. Abbott, Jr.

Amount Capital Stock—One thousand dollars. Par value ten dollars each.

Date of Charter—2d May, 1890.

ST. MATTHEW'S BUILDING AND LOAN ASSOCIATION.

Incorporated to do a building and loan business.

Location—St. Matthew's, S. C.

Names of Corporators—M. O. Dantzler, J. H. Loryea, W. T. C. Bates, L. M. Whaley, Edward Wimberly, A. R. Able and Philip Rich.

Amount Capital Stock—One hundred thousand dollars. Par value two hundred dollars each.

Date of Charter—14th December, 1889.

**ST. MATTHEW'S MANUFACTURING AND WAREHOUSE
COMPANY.**

Incorporated to operate a cotton seed oil mill, cotton ginning, guano factory and grist mill.

Location—St. Matthew's, S. C.

Names of Corporators—F. J. Buyck, Philip Rich, W. T. C. Bates, W. W. Wannamaker, S. H. Mack, L. M. Whaley, J. E. Wannamaker, J. H. Loryea and J. A. Banks.

Amount Capital Stock—Twenty-five thousand dollars. Par value twenty-five dollars each.

Date of Charter—17th June, 1890.

**SUMMERTON COTTON SEED OIL MILL AND MANUFACTURING
COMPANY.**

Incorporated to manufacture and sell cotton seed oil and fertilizers.

Location—Summerton, S. C.

Names of Corporators—Thos. Wilson, J. D. Rutledge, R. H. Belser and J. J. Ragin.

Amount Capital Stock—Ten thousand dollars. Par value twenty-five dollars each.

Date of Charter—2d April, 1890.

SUMTER ICE MANUFACTURING COMPANY.

Incorporated to manufacture and sell ice.

Location—Sumter, S. C.

Names of Corporators—Eugene H. Moses and Joshua J. Harby.

Amount Capital Stock—Ten thousand dollars. Par value one hundred dollars each.

Date of Charter—7th August, 1890.

SUMTER LAND AND IMPROVEMENT COMPANY.

Incorporated to buy and sell real estate, to lay out town sites, build houses, &c.

Location—Sumter, S. C.

Names of Corporators—Wm. M. Graham and John P. Coffin.

Amount Capital Stock—One hundred thousand dollars. Par value twenty-five dollars each.

Date of Charter—9th October, 1890.

UNION OIL MANUFACTURING COMPANY.

Incorporated to make oil from cotton seed, &c.

Location—Union, S. C.

Names of Corporators—Wm. A. Nicholson, A. H. Foster, F. M. Farr, Reuben T. Gee, P. M. Cohen and Wm. Munro.

Amount Capital Stock—Twenty-five thousand dollars. Par value twenty-five dollars each.

Date of Charter—9th December, 1889.

WHISNANT LUMBER COMPANY.

Incorporated to manufacture and sell lumber, to purchase and hold real estate, timber land, mill sites, mills and water powers, &c.

Location—Blacksburg, S. C.

Names of Corporators—J. J. Whisnant, J. F. Jones and N. W. Hardin.

Amount Capital Stock—Ten thousand dollars. Par value one hundred dollars each.

Date of Charter—14th October, 1890.

YORK SPOKE AND HANDLE COMPANY.

Incorporated to manufacture spokes, handles, fellies, hubs, axles, agricultural implements, and sell the same.

Location—Yorkville, S. C.

Names of Corporators—Robert Witherspoon, Ernest Lowry, John F. Lindsay, C. E. Spencer, John C. Kuykendal, Jos. F. Wallace, G. H. O'Leary, T. Baxter McClain and F. Happerfield.

Amount Capital Stock—Fifteen thousand dollars. Par value one hundred dollars each.

Date of Charter—2d April, 1890.

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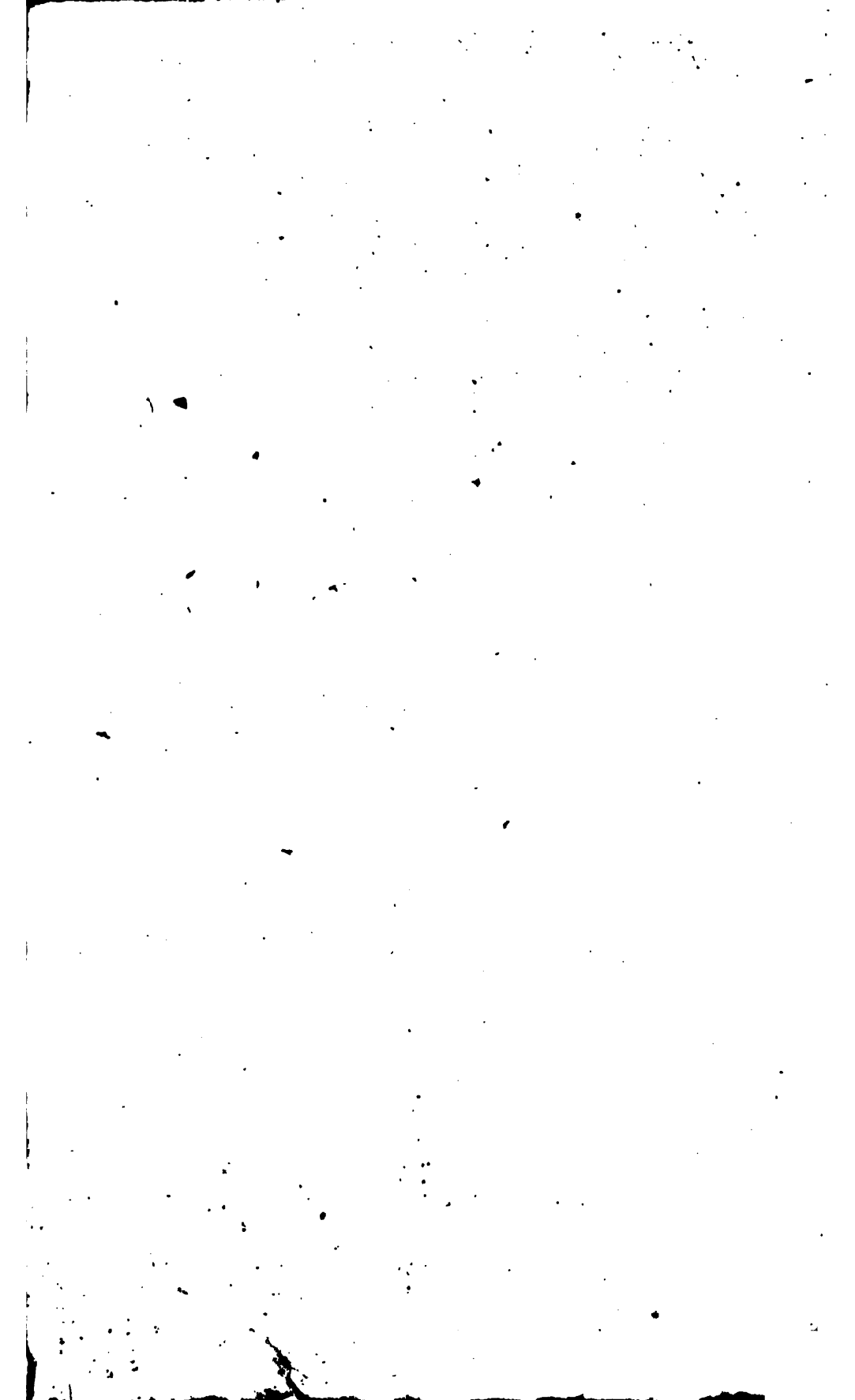
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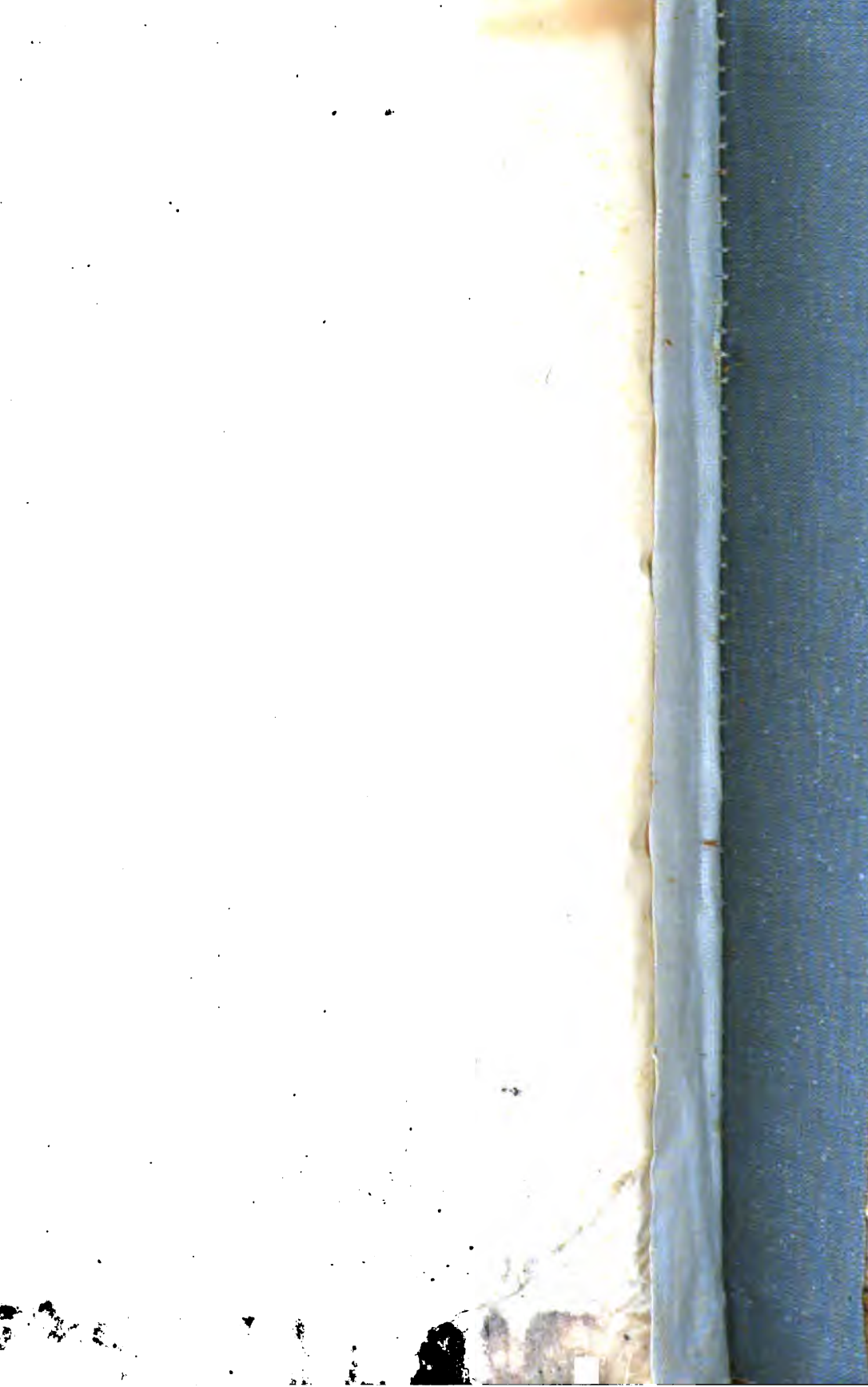
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